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New York State Library

YEARBOOK OF LEGISLATION  
1907

EDITED BY  
Frederick D. Bramhall, *Legislative Reference Librarian*

LEGISLATION BULLETIN 35 DIGEST OF GOVERNORS MESSAGES 1907  
36 INDEX OF LEGISLATION 1907

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## PREFATORY NOTE

The present Yearbook of Legislation is made up of two Department Bulletins, numbers 420 and 435 (Legislation 35 and 36), respectively the *Digest of Governors Messages* and the *Index of Legislation* for the year ending September 30, 1907. Each bulletin contains a classified table of principal headings and an alphabetical index of subjects covered, and the volume contains a consolidated index of subjects. No *Review of Legislation* for the year has been published, but the trend of legislation through the two years 1907 and 1908 will be presented in a consolidated Review.



# New York State Library

Bulletin 117

LEGISLATION 35

## DIGEST OF GOVERNORS MESSAGES 1907

OCTOBER 1, 1906 TO OCTOBER 1, 1907

EDITED BY

Frederick D. Bramhall, *Legislative Reference Librarian*

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1. *Journal of the American Medical Association*, 1997; 277: 1033-1036.

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*State Library, Albany, N. Y., November 4, 1907*

*Hon. Andrew S. Draper*

*Commissioner of Education*

DEAR SIR: I have the honor to transmit herewith and recommend for publication the annual Digest of Governors Messages, the sixth of its series. This bulletin digests briefly and arranges by subjects the definite recommendations, in regard to legislation, of governors in all the states. The governor is one of the most potent factors in determining the trend of legislation. The usefulness of the Digest to one who wishes to avail himself of experience elsewhere in the solution of current problems is therefore evident.

During the preparation of this bulletin Dr Robert H. Whitten, who has been in charge of the legislative reference section since 1898, resigned. The series of Digests of Governors Messages was instituted by him in 1902, to supplement the Index of Legislation which had been published by the New York State Library since 1890; in 1901 he had originated the annual Review of Legislation, the three bulletins since that time constituting the Yearbook of Legislation. That these annuals have proved of value to students and public men throughout the country is beyond question. Their direct value to the State of New York, through members of the Legislature, public officials and the unofficial forces behind public life, has been sufficient to justify their preparation.

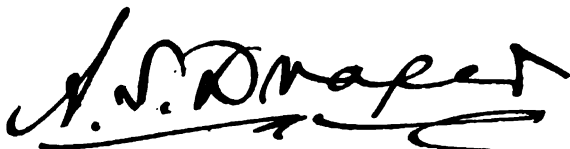
Respectfully submitted

EDWIN H. ANDERSON

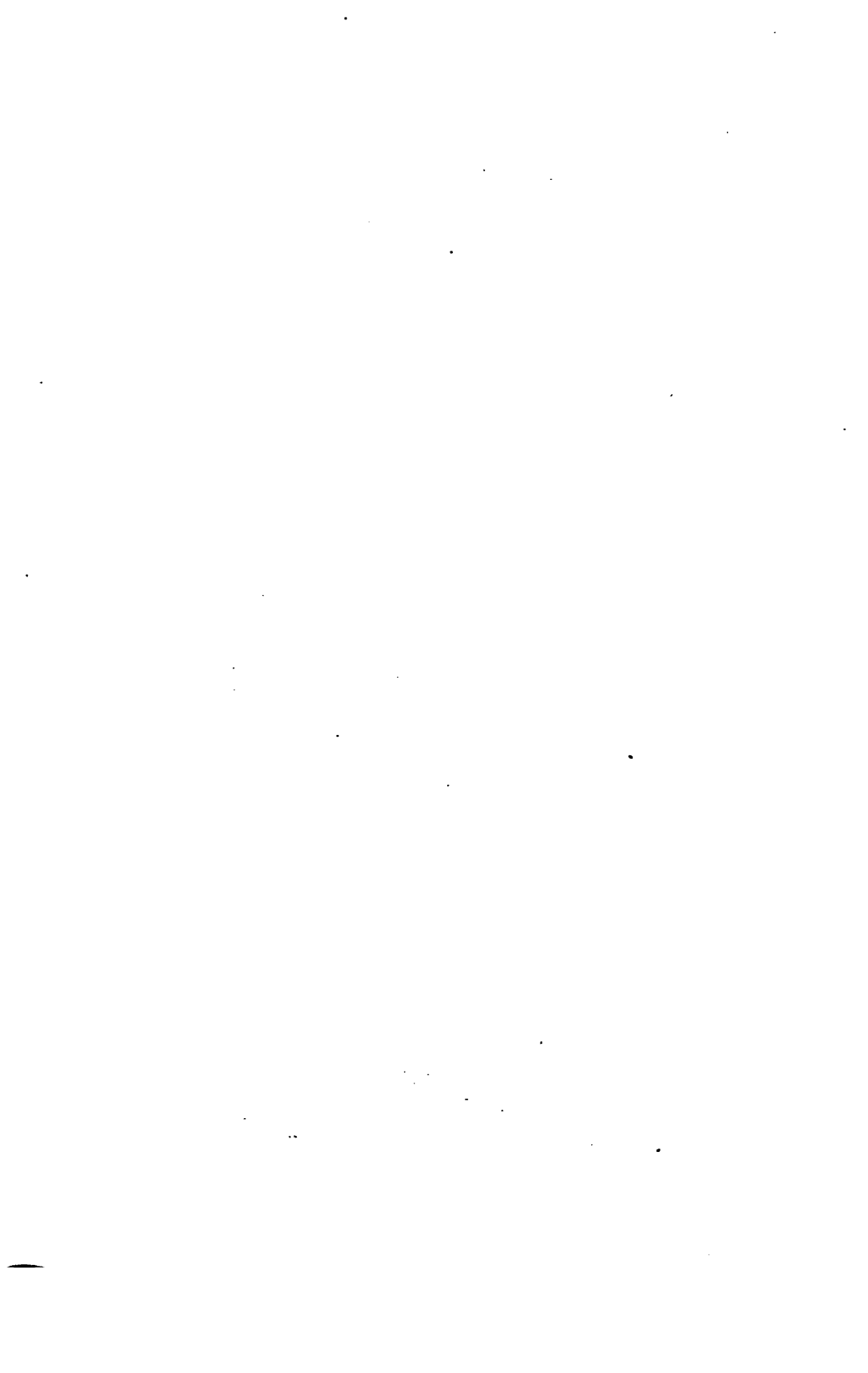
*Director*

*State of New York*  
**Education Department**  
COMMISSIONER'S ROOM

*Approved for publication this 6th day of November 1907*

A large, stylized handwritten signature in black ink, reading 'A. S. Draper'. The signature is written in a cursive style with a long horizontal flourish at the bottom.

*Commissioner of Education*





# New York State Library

Bulletin 117

LEGISLATION 35

## DIGEST OF GOVERNORS MESSAGES 1907

OCTOBER 1, 1906 to OCTOBER 1, 1907

EDITED BY

Frederick D. Bramhall, *Legislative Reference Librarian*

This digest was brought nearly to completion under the direction of Dr Robert H. Whitten, who has edited all five of the digests which have preceded it. A large part of the digesting has been done this year by Mr John T. Fitzpatrick, assistant in the legislative reference section.

### EXPLANATIONS

The digest includes all regular messages and all special messages recommending legislation. Veto messages and messages merely transmitting documents are not included. Topics in the President's message related to those with which the states have to deal are also included. As the journals of but few of the states are received in time for use, we have to rely on the executive department of each state to furnish lists and copies of the messages.

No attempt is made to index or digest everything contained in the messages but merely the definite recommendations of the governors concerning legislation. General remarks, recitals of facts not joined with recommendations, statements bearing on the condition and progress of the state, or a part or department of the state, are omitted. Whenever possible, the gist of important recommendations is given by the quotation of leading sentences or paragraphs.

**Citations.** The citations give state, governor, day, month and year of message, and inclusive paging. Many special messages are received in manuscript form, and to them no page reference can be given. The usual abbreviations of month and state names are used.

**Classification.** The classification of the digest is the same as that of the Index of Legislation, and will continue unchanged from year to year, except for the insertion of new headings when new subjects of legislation arise. The numbers assigned to subject headings will also remain unchanged, so that readers can follow recommendations and laws on any subject by looking under the same marginal number in each bulletin. The numbering corresponds to the consecutive numbering of headings in our card index of legislation 1890 to date. Headings under which there are no recommendations during the year are omitted.

# MESSAGES INCLUDED

## MESSAGES INCLUDED IN THE DIGEST

Period covered, October 1, 1906 to October 1, 1907. In many states when there is a change of governors a message or address is sent or delivered to the Legislature by both the outgoing and incoming governor. In the following, where messages by different governors are listed for the same or very near dates, the first is the message of the outgoing governor and the second that of the incoming.

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		11 Feb. '07		Rate of state assessments
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		18 Dec. '06	12	Panama canal
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930	Public health and safety
932	General supervision
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972	Other articles of food and drink
1020	Communicable diseases
1048	Disposition of the dead
1065	Nuisances (general). Miscellaneous health regulations
1090	Public safety
1092	Fires

N. Y. STATE LIBRARY GOVERNORS MESSAGES 1907

Marginal  
no.

- 1099 Buildings: sanitation and safety
- 1124 Miscellaneous
- 1144 Communicable diseases of animals
- 1180 Control of waters
- 1200 Transportation and communication
- 1204 Rates. Discrimination
- 1227 Passenger rates
- 1240 Miscellaneous. Common carriers
- 1267 Railways. Car companies. Express
- 1268 Corporate organization and powers
- 1280 Public ownership and aid
- 1286 Supervision and regulation
- 1313 Public safety, comfort and order
- 1337 Street railways
- 1378 Express
- 1384 Canals
- 1393 Bridges. Tunnels
- 1411 Telegraph and telephone
- 1422 Commerce and industry (general)
- 1425 Weights and measures
- 1464 Adulterations and imitations. Branding. Inspection
- 1505 Associations. Exchanges. Speculation
- 1508 Warehouses. Markets
- 1532 Regulation and licensing of trades and occupations
- 1590 Miscellaneous trade regulations
- 1630 Encouragement of industries
- 1679 Banking
- 1708 Savings banks
- 1718 Building and loan associations
- 1732 Insurance
- 1754 Life and accident
- 1759 Mutual insurance
- 1762 Accident, health and industrial insurance
- 1764 Fire and other casualty
- 1770 Mutual companies
- 1800 Navigation. Waterways
- 1826 Agriculture
- 1835 Associations. Fairs
- 1844 Horticulture. Diseases and pests
- 1856 Noxious animals. Bounties
- 1875 Domestic animals
- 1876 Running. Impounding. Fences
- 1890 Forestry
- 1900 Game and fish
- 1909 Game
- 1913 Big game
- 1944 Birds



## PRINCIPAL HEADINGS

### Marginal no.

1959	Fish
1974	Special kinds of fish
2000	Shellfish. Miscellaneous
2020	Mines and mining
2040	Labor
2085	Hours
2100	Wages
2113	Employment
2125	Employers liability. Insurance
2134	Labor disputes
2140	Charities
2149	Poor relief
2160	Sick and disabled
2172	Children
2183	Defectives
2184	Deaf and dumb
2188	Blind
2193	Insane
2210	Epileptics
2215	Feeble-minded
2220	Education. Science. Culture
2223	Elementary and secondary education
2237	General school finance
2246	Negroes
2247	Teachers
2267	Attendance
2282	Textbooks. Supplies
2327	High schools and academies
2330	Higher education
2342	Professional and technical education
2352	Libraries
2354	State libraries
2356	Free public libraries
2363	History. Records. Memorials
2370	Memorials. Monuments
2379	War records
2380	Scientific work. Art
2388	Military regulations
2391	Militia. National Guard
2406	Pensions and relief
2416	Soldiers homes
2430	Local government
2432	Municipalities
2438	Organization. Powers generally
2473	Municipal civil service
2492	County and township government
2501	Governing body

N. Y. STATE LIBRARY GOVERNORS MESSAGES 1917

Marginal  
no.

2512	County civil service
2550	Local finance
2566	Taxes
2575	Budget. Accounts
2597	Debts. Bonds
2620	Public works. Public improvements
2627	Municipal utilities (general)
2633	Electricity. Gas
2661	Sewerage. Garbage
2679	Parks. Public grounds
2700	Roads. Streets

## STATUTES

### 1 LAW (GENERAL)

### 2 Statutes

*See also 85, Overlegislation; 88, Special laws*

### 3 Preparation of statutes

a Ct. Woodruff. "... To cover all this loose legislation and for fear that there may have been something passed which was not in proper form it is usual at the end of the session to pass an act—a healing act—which by its beneficent effect helps out the case and operates to negative a possible blunder. But I would suggest as a remedy for such conditions that the position of clerk of bills, and perhaps the engrossing clerk, be made a permanent position, or that one or both should continue in office during good behavior. I find upon investigation that this plan has been tried in some other states, more especially in the state of Wisconsin, where the office of legislative librarian was created with a view of securing legislation in proper form. I realize that great care should be taken in selecting a man to fill such a place. He must be a man of ability and honesty. And he should not be removable except for cause. Wisconsin has made herself distinguished for the good form of her statute laws. That state has accumulated much valuable material for the information of her legislators, arranged in a card system so that officials in charge are able to respond promptly to any inquiry for information on a subject likely to come before the General Assembly or the executive departments. Laws of other states and countries are included in the indexes, thus giving a safe guide to those drawing or reporting a new statute and enabling them to follow the wording of one that has stood the test of time and use."

9 Jan. '07, p.5-7

b N. D. Burke. "And, while I am upon this subject I recommend that all legislation which you enact be simplified by using simple language, incapable of more than one construction."

9 Jan. '07, p.4

c W. Va. Dawson. "There has been much criticism in the public press for many years of the failure of Legislatures to fulfil the purpose for which they were created. Much of this criticism was exaggerated. Much of the failure to fulfil public expectations by legislative bodies is due for the want of proper assistance—expert help. Much of this would be obviated were there about the Legislature a small body of trained men, say, for your body four men, who should be chosen without any regard to their politics, but solely for their ability, whose terms of office would be during good behavior, and whose business it would be to draft bills for members; to attend on committees and assist them in their work; articulate proposed laws to those in effect, in order to obviate contradicting statutes; and to recommend changes in laws, and

prepare and have ready for the members bills on various subjects. To require that every member of the Legislature should be able properly to write an important bill on any subject, and to know the whole body of the statutes so well as to avoid any conflict between his proposed law and the laws in force, would require that every member of the Legislature should be a thoroughly well trained lawyer at least. This is not desirable, because the ideal Legislature is one which would contain citizens of all professions and classes. Some time after I had arrived at the conclusion that it would be well to have this expert help about the Legislature, I saw the same idea advanced in the able publications of the New York State Library, which has put the whole country under obligations to that state for the immensely valuable information published from time to time in its bulletins. Your sessions are so short, your labors so arduous, your work so important, that you ought for thorough work's sake to have all reasonable help and assistance." 8 Jan. '07, p.91-92

## 5 Publication of session laws

### 7 *Distribution*

- a Wy. Brooks. "I recommend that the laws in that particular be so amended as to provide that the Secretary of State shall immediately upon the publication of the laws of each session, deliver into the custody of the State Librarian, upon the requisition of that officer, a sufficient number of copies thereof to enable him or her to comply with the section requiring one copy to be sent to the librarian of each state and territory, also the library of the United States, and repealing the requirement that the Secretary of State be compelled to send a copy to the governor of each state and territory." 10 Jan. '07, p.10

## 11 Revision and compilation

- a Col. McDonald. "I believe it expedient that the statutes of Colorado should be revised and published by the state, and sold by the state at a reasonable price." 3 Jan. '07, p.15
- b Mo. Folk. "The session of 1909 will be the regular revising session of the General Assembly. There is an urgent necessity for proper revision of the statute laws of the state. Revisions heretofore have been made hastily, with the results that the statutes are full of contradictions, causing uncertainty as to what the law is. A commission of men learned in the law should be provided for to revise the statutes, and have the result of their work ready to submit to the 45th General Assembly." 2 Jan. '07, p.41-42
- c Mon. Toole. Urges revision of codes. 8 Jan. '07, p.38
- d N. J. Stokes. "... A commission is at present compiling the acts now in force, but their work, when complete, however thor-

## SESSION LAWS

II

- ough and admirable, will be simply a compilation and not a revision or simplification of law. . . . The time is ripe for a condensation and revision of our statutes. . . ." 8 Jan. '07, p.24-25
- c N. M. Hagerman.** "There is an urgent necessity for the revision of the statutes of New Mexico. With the ending of the next Legislative Assembly we will have five volumes of session laws since the laws were compiled in 1897. Without an immense amount of labor it is almost impossible to state definitely what the law is upon any particular subject on our statute books. . . I believe a revision of our laws would be best accomplished by the appointment of one competent attorney for that purpose, who is familiar with the legal history of the territory, with power to employ competent assistants, and that he should be required to report to the next Legislature the completed revision, together with a statement to the Legislature showing what material changes have been made in particular sections of the laws." 21 Jan. '07, p.52
- f N. Y. Hughes.** ". . . In 1904 the Board of Statutory Consolidation was created. Its work has progressed upon a plan which, as I am informed, disposes either by consolidation or express repeal of every general statute ever passed by the Legislature and presents a chronological table of the entire statutory law, general and special, with its complete history. The proposed general laws have been prepared and if their final examination by the members of the board is completed in time they will be presented to the Legislature this year. There remain the special laws, which should be classified and brought together under an appropriate analysis so that it will be possible to consult all the general laws and special laws on a given subject without the necessity of a search through the session laws. This should be supplemented by an adequate index so that any one may readily ascertain the statute law upon any given subject. It was also charged with the duty of reporting for enactment such amendments as to matters of procedure as should be deemed proper and necessary to condense and simplify the existing practice. . . In addition, it is desirable that independent provision should be made for a suitable revision of the Greater New York charter." 21 Jan. '07, p.28-29
- g S. D. Elrod.** Omissions in Revised Code of Civil Procedure of 1903; complete index of same. 8 Jan. '07, p.33-34
- h S. D. Crawford.** Omissions in Revised Code of Civil Procedure of 1903. 8 Jan. '07, p.10-11
- i U. Cutter.** Revision and compilation of statutes. 15 Jan. '07, p.45-46
- j Wy. Brooks.** Compilation of statutes including those of present session; should be prima facie the law of the state; amendments should be allowed by reference to such compiled statutes and the section numbers thereof. 10 Jan. '07, p. 9-10

13

## Uniform laws

*See also 464, Negotiable instruments*

- a **Ct. Woodruff.** "The commissioners on the uniformity of laws appointed by this state have submitted a proposed act of sales and a proposed act on warehouse receipts. These acts have been prepared by the general conference of commissioners appointed by the various states to recommend legislation to their respective states, tending to promote uniformity on certain matters throughout the country. . . I recommend the passage of both these acts as of importance to the commercial interests of the state and the country." 9 Jan. '07, p.15
- b **Mass. Guild.** "The ever closer bond between the states is daily giving greater force to the demand for uniformity in laws concerning such matters as can not be constitutionally controlled by the national government. If escape from taxation on personal property is to be checked, we must have more uniformity in our state laws of taxation. If vice in one section is not to become virtue in another, we must have greater uniformity in our state laws in regard to divorce. If bad insurance methods are really not desired by the American people, they must be discountenanced in every state. If the public mean what they say they mean in regard to the so called "trusts," their attention should be concentrated on the laws of those states which permit the creation of trusts. In this great general movement Massachusetts should not merely accept but should suggest progressive legislation." 3 Jan. '07, p.6
- c **R. I. Higgins.** "The conference of commissioners on the uniformity of state laws is prepared to submit at this session of the General Assembly several important matters of legislation, which, I believe, should receive your consideration and indorsement. One is a uniform law of sales, the other is a uniform law of warehouse receipts. Another is a uniform divorce law. All of these matters have been considered at great length and with thorough skill by eminent attorneys from various parts of the country, and have been indorsed by the legal profession generally. They touch on subjects which are no longer state or local issues, but which have become matters of national importance requiring a settled and uniform law if confusion and litigation are to be prevented hereafter. . . ." 3 Jan. '07, p.17-18
- d **S. D. Elrod.** "Recently the Executive Department received a draft of an act to make uniform the law of sales and a draft of an act to make uniform the law of warehouse receipts, indorsed and recommended by the Commission of Uniform State Laws. They relate to important subjects and are worthy of careful consideration. . . ." 8 Jan. '07, p.41
- e **U. Cutler.** "There are a number of important matters outside the jurisdiction of the Congress of the United States, on which

## CONSTITUTIONS REVISION

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uniform laws in the several states are desirable. Among these are the subjects of marriage and divorce, insolvency, the descent and distribution of property, law of sales, warehouse receipts, the execution and probate of wills, and others. The suggestion has been made that each state appoint a board of some three commissioners, to represent it in this matter. I am in hearty accord with this recommendation, and suggest that you authorize such a commission and provide by appropriation for its expenses." 15 Jan. '07, p.41

14

### Comparative legislation

- a Cal. Pardee. "I desire to call the attention of members of the Legislature to the valuable assistance they may expect to receive in their work by consulting the legislative reference department which has been established for their convenience." 7 Jan. '07, p.73

15

### CONSTITUTIONAL LAW

This and 750, Administrative law, make up what is commonly known as the Political Code

19

### Statistics

See also 938, Vital statistics; 1832, Agriculture

- a Kan. Hoch. ". . . A bureau of information . . . would be of great value to the state." 8 Jan. '07, p.20-21

30

### Constitutions

- a S.D. Elrod. "The journals of the Constitutional Conventions of 1885 and 1889 have not been published. Single copies only of these important documents are in existence. It would be a great loss if they should be destroyed. Only by the debates of the conventions which made the constitution can many important portions of it be correctly interpreted. I advise that the State Librarian be authorized to edit and publish these journals, under such regulations for their disposal as will make them available for the use of the bar, the courts and the libraries of the state." 8 Jan. '07, p.38

32

### Revision

- a Mo. Folk. ". . . It has been urged that the time has come when a constitutional convention should be called. The making over of our organic law would be a grave undertaking, fraught with serious consequences to the people should a mistake be made. It should not be entered into unless you find that it is impracticable to amend the present Constitution so as to meet the new conditions that have arisen since its adoption, and the needs of a state throbbing with commercial activity."

2 Jan. '07, p.40

32

- b Mo. Folk. "I invite your consideration of the propriety and advisability of the adoption of a resolution making application to the Congress of the United States to call a convention for proposing amendments to the federal Constitution. . . As to what amendments are important and desirable every one may have his own views. There is an earnest desire by the people of the country for the election of senators by direct vote of the people, for the establishment of the principles of the initiative and referendum, and for a just income tax. The relative powers of Congress and the courts with reference to injunction and other extraordinary writs, might properly be declared and established in the light of recent history and modern development. . ."

2 Jan. '07, p.40-41

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## Officers. Departments

Departments of agriculture are classified under Agriculture, departments of education under Education, etc.

- a N. H. Floyd. "The Forestry Commission, which cost last year \$3466, and the Labor Bureau, which was maintained at an expense of \$3147, besides office rent, do not render the public such service as creates the opinion that they should be perpetuated in their present form. I recommend that the laws creating them be repealed, and then if it be deemed desirable that any of their duties be performed, a clerk in the Agricultural Department be intrusted with the work." 3 Jan. '07, p.17
- b N. Y. Hughes. Recommends that provision be made for the investigation of administrative departments by the Governor. 4 June '07
- c N. J. Stokes. "From time to time the Legislature has created state boards authorized to license applicants who desire to pursue avocations within the state. These now consist of the State Board of Pharmacy, Board of Medical Examiners, Board of Dentistry, Board of Veterinary Medical Examiners, Board of Undertakers and Embalmers, Board of Public Accountants. . . I recommend that provision be made for a common secretary to all these boards, with an office in the State House, attached, perhaps, to the Department of State, to whom all communications of inquiry and applications for examination may be addressed." 8 Jan. '07, p.20
- d Wis. Davidson. "... I recommend that a reorganization of the state service be made to the end that duties be more specifically defined, unimportant offices for which there is not sufficient work be combined wherever feasible, or abolished and their duties assigned to other employees, and that salaries be paid in proportion to the value of the service demanded. I am confident that such a change would greatly increase the efficiency of the different departments and result in a material saving to the state. . ."

10 Jan. '07, p.42-44



## STATE DEPARTMENTS

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### *Civil service examination*

- a    **Ill. Deneen.** "... In the operation of the civil service law the commission has found several obstacles which can only be removed by the amendment of the law. For instance, there is no preparatory school for teachers of the deaf in Illinois and, therefore, the number of teachers of this class is limited. In order that the best talent may be obtained for this school, the commission should be allowed to open the examinations to applicants outside the state. The commission will undoubtedly restrict the examinations to residents of Illinois whenever it is not necessary to permit citizens of other states to compete in order that the best results may be obtained. The law should be amended also so that the commission may order a trial whenever it believes that improper reasons prompted the removal of an employee. The two principal political parties in their platforms declared in favor of an extension of civil service, and in view of the improvement of the public service in the state charitable institutions, I recommend such extension, and to that end I commend to your careful consideration the recommendations of the State Civil Service Commission." 9 Jan. '07, p.4-5
- b    **Ia. Cummins.** "The time has come when Iowa should establish such civil service regulations as will insure the appointment of such employees as properly fall within the scope of a civil service system, upon competitive examinations, with advancements and promotions earned by faithful and efficient service. . ." 14 Jan. '07, p.14-15
- c    **N. J. Stokes.** "... Officers elected by the people, officers whose appointment is confirmed by the Senate, officers of any city or county whose appointment is confirmed by any legislative body, persons appointed by name by statute, are not properly subjects of civil service regulations. Outside of these, with some few exceptions, a civil service regulation would conduce not alone to the public welfare, but would relieve political life of one of its greatest burdens. . ." 8 Jan. '07, p.27-28
- d    **Pa. Stuart.** "I recommend the necessity of passing an adequate civil service reform law, applying to the officers of the commonwealth and to the offices of cities of the second and third classes and of the larger counties." 15 Jan. '07, p.9
- e    **S. D. Crawford.** "There is a feeling of uncertainty and insecurity among many who are connected with these [educational, charitable and penal] institutions, which grows out of a fear that, regardless of merit and faithful service, their tenure of position is in constant danger from political intrigue and partizan politics; and that merit and faithfulness must yield to favoritism and the political 'pull.' There should be no ground for concern on this account. The time has come when it should be made clear and emphatic that the fixed and permanent policy of the state is to place the management of these institutions entirely above all

questions of political expediency and favoritism. A rule of civil service should be applied to the administration of the public institutions of the state. . . "

8 Jan. '07, p.6-7

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*Oath. Installation*

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BONDS. SURETIES

- a Ill. Deneen. "... I recommend that provision be made for the procuring of the bond of the State Treasurer at public expense, when necessary." 9 Jan. '07, p.44
- b Kan. Hoch. "... The law itself should fix the amount of the bond, and I believe it to be also a matter of palpable justice and good business for the state to meet the expenses of a good surety bond. It is absurd, of course, to require the Treasurer to pay for a surety bond, which I believe to be the best security to the state, out of his meager salary." 8 Jan. '07, p.34
- c Mon. Toole. "Some states refuse to accept individual or personal sureties when surety company bonds are available. This is not an unreasonable requirement. The law should be amended accordingly and increase the bond of the State Treasurer to an amount not less than \$750,000, the premium therefor to be paid by the state." - 8 Jan. '07, p.8
- d Neb. Mickey. "The Attorney General holds that under our present law governing the giving of indemnity bonds each of the individuals or guaranty companies signing such a bond is liable for the whole amount. . . This construction, and it is undoubtedly correct, makes it very difficult for the State Treasurer to give a satisfactory guaranty bond in so large an amount as is required (\$1,000,000), for the reason that but few of the bonding companies will sign a joint bond. . . In view of these facts I recommend that the law governing official bonds be amended so as to permit of the division of large risks between several companies, each giving its individual bond for such part of the risk as is apportioned to it and being responsible for no more, and that the amount of risk permitted to any company be limited to 25% of its capital and surplus." 3 Jan. '07, p.19
- e N. M. Hagerman. Suggests amendments to act requiring proper bonds for territorial and county officials: approval, amount, rates of surety companies. 21 Jan. '07, p.43-44
- f S. D. Elrod. "It is my judgment that it would be well to require all state, county, township and municipal officers to furnish surety bonds." 8 Jan. '07, p.44
- g U. Cutler. Secretary of the State Board of Equalization should be required to give bond in connection with collection of tax from car companies. 15 Jan. '07, p.7
- h W. Va. Dawson. "Let the law provide that all bonds to be given by state officers and by sheriffs or other officers required to account for public funds, be bonds of surety companies; the

## STATE DEPARTMENTS

cost of such bonds to be paid out of the public treasury, the maximum rates therefor being prescribed by statute. . ."

8 Jan. '07, p.82-83

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### *Qualifications*

- a **R. I. Higgins.** "... I recommend the enactment of laws which will prevent all city, town, or state officials from being interested, directly or indirectly, in any business transaction, contract, or other matter whatever, to which the city, town, or state, or any department, board, or commission thereof, may be a party. . . Along these same lines would be a law rendering members of the General Assembly ineligible for appointment or election to any state office or position during the term for which such men were elected, the incumbent whereof is appointed by the Governor or elected by the Legislature or either house thereof, such ineligibility not to be evaded by resignation from either house during the term for which such member was elected."

3 Jan. '07, p.16-17

- b **Tex. Campbell.** "... A law defining nepotism and prohibiting its practice in this state is suggested as of commanding importance. . ."

16 Jan. '07, p.12

- c **Wash. Mead.** "I favor the enlargement of the law defining the qualifications of notaries public and members of boards and commissions to the end that women may have equal opportunities with men to serve the state in these positions of honor and trust."

14 Jan. '07, p.38

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### *Reports*

- a **Ari. Kibbey.** "... Printed copies of the departmental reports are not ready, as a rule, until the session of the Legislature is half completed. I recommend that you authorize and direct the Board of Control to print hereafter a stated number of copies of each biennial report by the first of each December next preceding a session of the Legislature, such printing to be done in the territory, by the lowest bidder. Such a law would not only cause a great saving in the cost of printing but would in reality provide official information for the benefit of the Legislature and the public, as the law in fact contemplates." 22 Jan. '07, p.66-67

- b **Fla. Broward.** "... I wish to say that, in my opinion, it would be advisable to have the period for which these various reports [of the departments of the state government] are to be made close on the 30th of June, or such other date of the year previous to the meeting of the Legislature as will permit of the compilation, printing and distribution, in order that the reports might be in the hands of the legislators before convening for their consideration. . ."

2 Apr. '07, p.1-2

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### *Salaries. Fees*

- a **Ala. Jelks.** "... I suggest you appoint a committee to harmonize the salaries of the executive officers and clerks. Many

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of them are high enough, perhaps, but the inequality in the salaries of officers and clerks in this building, and in some cases the insufficiency of such salaries, is most glaring."

8 Jan. '07, p.26

- b Cal. Pardee. "On several occasions I have called attention to the totally inadequate salaries paid to state officials. Even the Governor, with \$6000 per year, a house to live in and \$2500 per year toward its support, and traveling and other funds at his disposal, is unable to make both financial ends meet. But a State Treasurer, whose bond alone is \$100,000 and costs \$300 per annum, is paid but \$250 a month as recompense for the great responsibilities he has to assume. The Secretary of State, with the many and varied duties of his most important office, is also paid but \$250 per month. The State Comptroller, also a very important and necessary official, receives a like salary of only \$250 per month. The Attorney General, the legal counselor and adviser of the state, with its vast and multifarious interests, is paid, like all the others, only \$250 per month. So, also are the State Superintendent of Public Instruction, the head of our great public school system, and the Surveyor General. In private businesses, much smaller than that of the state of California, similar positions are accompanied by salaries twice, even thrice, as great.

I desire, also, to call the attention of the Legislature to the fact that it is already very difficult, and rapidly becoming impossible, to secure and retain efficient skilled, or even unskilled, help at the hospitals and other state institutions. When the mechanic, even the unskilled laborer, receives, at private employment, three, four, five, six, and eight dollars per day, the state can not expect to retain the services of skilled and competent persons for one, two, or three dollars per day. I therefore recommend that sufficient money be appropriated to secure, at the state institutions, by means of better pay, the willing services of skilled and competent employees."

7 Jan. '07

- c Col. Buchtel. ". . . The first step to a proper handling of all these [penal, reformatory and benevolent] institutions is to provide that no salary shall be paid to any member of any board of control of any state institution. . . "

8 Jan. '07, p.29-30

- d Del. Lea. "The salary system should be further extended so that every state and county officer be placed upon a salary basis. I submit to you the advisability of supplementing the work of the last session touching this subject by the enactment of a fee bill covering all the charges for every service to be rendered by state and county officers. A specific and definite sum should be fixed for every service rather than the present system of varying charges. . . "

1 Jan. '07, p.31

- e Nev. Sparks. "Under conditions now prevailing, the high price of living and the frequent calls for charitable contributions to the needy, I believe that in justice the salaries of all the appointive

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positions should be increased. It can truthfully be said that for competency in the discharge of duty the force can not be surpassed. The increase of business at this time is beyond all precedent, clerks and deputies being called upon frequently to work overtime to keep their files clear and daily duties performed. Considering that ability is a prerequisite in filling these positions, I am convinced that the service received by the state is not sufficiently rewarded. . . ."

21 Jan. '07, p.21-22

- f **N. C. Glenn.** "The cost of living has so greatly increased that many employees, and some state officers, can not live on their salaries. The department employees, such as janitors, night watchmen, office boys, etc., have faithfully served the state, and I ask that their wages be increased at least 10 or 15%. I ask that the Governor's salary be fixed at \$6000, and that the Attorney General's and Superintendent of Public Instruction's salaries be increased. This increase will not affect the present officers, but their successors. I have tried to live economically, but my books will show that it has cost me at least \$1500 a year more than I have received to live in Raleigh. To be Governor is a great honor, and should be appreciated; but the salary ought not to be so low as to prohibit a man from holding the office, unless he uses his own means. I ask that this Legislature correct these wrongs, and not leave it to the next General Assembly that comes in with a new administration, for salaries can not be increased during an officer's term."

9 Jan. '07, p.44

- g **S. C. Heyward.** "With the continued growth of our state, it will be absolutely necessary that larger appropriations should be made for the conduct of its public affairs, and especially is this true in reference to the salaries paid to our state officers. Without exception, these salaries are totally inadequate for the services rendered, and are in no sense in keeping with the responsibilities devolving upon the incumbents. . . Not only are state officials underpaid, but in most of our state offices the clerical force, furnished by the state, is entirely inadequate to perform the duties required by law. . . ."

8 Jan. '07, p.18

- h **Vt. Bell.** "I believe it would benefit the service if all state commissioners were paid the same per diem. I so recommend."

4 Oct. '06, p.11

- i **W. Va. Dawson.** "There will be brought to your attention the matter of increased compensation for officers and employees of the state. The cost of living in the last few years has very greatly increased; the statement is made that it has increased in the last 10 years 55%, while the increase in wages has been but 15%. . . ."

8 Jan '07, p.78

- j **W. Va. Dawson.** "Under the new tax laws the Assessor becomes the most important county officer, except possibly a member of the county court. . . It is urgently important that the voters place in this office none but the best men obtainable."

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But the pay is very small. I can not think you will fail to give to this pressing necessity proper consideration. . . "

8 Jan. '07, p.78-79

- k **W. Va. Dawson.** ". . . All county and other officers, so far as practicable, should be paid a salary and the fees collected and paid into the public treasury. . . "

8 Jan. '07, p.80-81

- n **Wy. Brooks.** ". . . Our laws now provide that all officers shall receive stipulated salaries which will be in full compensation for all services rendered. The practice of allowing the fees collected to become a part of the compensation of any officer or board, is not consistent with good government or in accordance with the provisions of our statutes; and under this head, the Auditor calls attention to various fees now collected, and suggests that in the future proper provision be made to turn these fees into the general fund. . . "

10 Jan. '07, p.13-14

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*Tenure of office. Discipline*

- a **Ind. Hanly.** "The French Lick and West Baden cases, and the experience of the state in its efforts to remove the late Secretary of State, disclose the need of a well considered and effective statute for the removal of public officials who wilfully fail in the performance of the duties of their office or who are guilty of misfeasance or malfeasance therein. The present statute is believed to be invalid. . . "

10 Jan. '07, p.25

- b **Mon. Toole.** "Suits have recently been brought by the Attorney General to recover profits alleged to have been made by certain officials upon public moneys. These suits are still pending and undetermined. . . Such legislation, civil and criminal, as may be found necessary to prevent a recurrence of alleged offenses of the character mentioned, and in aid of the plain purpose of the Constitution, should be promptly passed."

8 Jan. '07, p.7-8

40

**Governor**

*See also 782, Executive mansion; 852, Governor's contingent fund*

- a **Col. McDonald.** ". . . It might not be amiss for me to give the Legislature my views as to the term of office of the Governor. I believe a constitutional amendment should be submitted to the people, providing a change in the tenure of office from two to four years, with a provision that he shall not be eligible for two consecutive terms. . . "

3 Jan. '07, p.17

- b **R. I. Higgins.** "Under chapter 809 of the public laws passed January 29, 1901, the power of appointment is practically taken from the Governor and placed in the hands of the Senate. I recommend the repeal of that act so far as it takes from the Governor the power of appointment, and I recommend the restoration to him of full authority to make nominations and appointments subject to confirmation by the Senate. . . "

3 Jan. '07, p.15-16

## STATE DEPARTMENTS

45

### *Veto*

- a **R. I. Higgins.** "I also recommend most heartily your approval of a constitutional amendment which will give to the Governor the veto power. . . Every state in the Union, except North Carolina and Rhode Island, has already conferred this power on its chief executive. . . Had such power existed in the past, I believe much odious legislation now on our statute books would never have been passed. . ." 3 Jan. '07, p.5-6

48

### **Lieutenant governor**

- a **W. Va. Dawson.** Creation of the office of lieutenant governor. 8 Jan. '07, p.92

50

### **Attorney general**

- a **Ari. Kibbey.** ". . . At present the salary of the Attorney General is absurdly inadequate. I recommend that you fix the salary of that office at \$2500 per year, with a proper allowance for printing briefs and for traveling expenses. The lack of such contingent appropriation has frequently put the territory to great disadvantage in litigation." 22 Jan. '07, p.64-65
- b **Cal. Pardee.** "I desire to commend to the Legislature for its special consideration the recommendation made by the Attorney General that authority be granted for the compilation and publication of a volume to be made up of the more important opinions written in the Attorney General's department during past years. . ." 7 Jan. '07, p.55
- c **Minn. Johnson.** Increased force and contingent fund for the Attorney General's office. 9 Jan. '07, p.39-40
- d **S. D. Elrod.** "You ought by all means to submit to the people the question of increasing the Attorney General's salary. . . The Attorney General ought to live here at the capital and be in his office regularly and daily to pass upon questions that are constantly arising in the different departments." 8 Jan. '07, p.43
- e **Wy. Brooks.** "The office of the Attorney General is rapidly developing into one of the most important in the state. His duties should be extended and his headquarters should be permanently located in the capitol building. In this rapidly developing state new questions requiring legal opinion are of almost daily occurrence, and opportunity should be given whereby officials and heads of departments can consult freely with the Attorney General. . ." 10 Jan. '07, p.17-18

55

### **State examiner**

- a **Ari. Kibbey.** ". . . I recommend that you amend the law so that in the event of the suspension of any county officer from office by the Governor when such officer has been reported by the Public Examiner for dishonesty in his accounts or other wilful or corrupt misconduct in office, the Public Examiner shall act

as custodian of the office and discharge its duties pending a new appointment by competent authority; and that there be a provision for a temporary appointment to be made pending the suspension, by the authority that is vested by law with power to fill vacancies, until proceedings can be had and concluded under the provisions of title II of our Penal Code for the removal of civil officers." 22 Jan. '07, p.61-63

- b Col. McDonald. "The present Legislature should provide for a public examiner . . . whose duty it shall be to check up the different state institutions and departments, and to include cities and counties of the first and second class. . ." 3 Jan. '07, p.14
- c Col. Buchtel. "The need is clearly apparent of a state examiner with a sufficient number of deputies to make it possible for him to keep track of the business of all financial institutions which handle public funds, and to have a constant surveillance of all state institutions which are sustained by the taxation of the people." 8 Jan. '07, p.29
- d Ind. Hanly. ". . . The facts I bring to your attention have convinced me of the necessity of a law authorizing the Governor to appoint an executive accountant, whose duty it shall be to make frequent examinations of the accounts and books of the several administrative offices of the state and of the several state institutions, under executive direction. . ." 10 Jan. '07, p.12-18
- e Minn. Johnson. ". . . The [Public Examiner's] Department ought to be given additional assistance in order that it may make more complete examinations of railway corporations and their books with a view of ascertainment whether or not they pay into the state treasury all of the taxes due the state of Minnesota under our gross earnings tax system. In this connection let me say that the department has been also very considerably handicapped when making investigations of these companies by the refusal of its officials to permit the department to have access to the general books, and to furnish documents and papers which might pertain to Minnesota business. All books and records of such companies should be open to inspection and review by a proper representative of the state. Provision should also be made in the statute whereby corporations or companies doing business in the state should preserve any and all books, documents, records, papers etc. relating to their business in so far as they pertain to the state. The department has also been handicapped in its efforts to adjust back taxes due the state on account of errors and omissions in reporting gross earnings, due to the fact that the records which would be evidence of the violation or infringement of the law had been destroyed. As the Revised Laws of 1905 provide for the waiving of the statute of limitation on the collection of any taxes due the state, I believe a law should be enacted which would compel such companies or corporations to preserve their records for at least ten years. . . ." 9 Jan. '07, p.32



**58 Temporary boards and officers***See also 59, Special investigations*

- a **Vt. Bell.** "The Governor is frequently called upon to appoint delegates to represent the state at conferences and conventions of a general nature and of national importance. No provision is now made to defray the expense of such commissions. The state should make a reasonable appropriation to cover the necessary expense thus incurred, and not be obliged to depend upon the loyalty and public spirit of the persons designated to suitably represent us on such occasions."

4 Oct. '06, p.11-12

**60 State institutions***See also 335, Corrections; 790, 863, Finance; 2140, Charities; 2220, Education***63 Supervision and administration**

- a **Ct. Woodruff.** "... I deem it for the best interests of the state that all supplies and material used by state institutions should be bought by a purchasing agent who should serve under the direction of the State Comptroller. The duty of such purchasing agent should be to see that all goods that are purchased be of a standard quality and at the lowest market price bid upon proposals furnished by the state. . . I would in this connection add the suggestion that the insurance upon all state institutions and all state property should be placed in the hands of one official. . ."
- 9 Jan. '07, p.20-21
- b **Ind. Hanly.** "... Better service can be had if these boards [of state institutions] are composed of four members, not more than two of whom shall be of the same political party. There should be at least one woman on the board of every institution in which women are inmates. . . The duty of selecting superintendents should be devolved upon the boards, but their authority in this direction should end there. Each superintendent should have the right to select his own subordinates and be held responsible to the board for their conduct."
- 10 Jan. '07, p.42
- c **W. Va. Dawson.** "I have long thought we have too many boards of administration in this state. It is believed that we would secure a more efficient management of our various public institutions and economize in the cost of the government by either having one state board for their management, or by lessening the number of boards to three or four. In several states they have what is called a board of control for the management of all public institutions. This secures uniformity in wages of officers and employees and conditions, and is said to result in considerable saving in the purchasing of supplies. Such a board consists usually of five men, sometimes of only three. If it is thought, however, that one board of three or five men would not have the practical experience to deal with all the various institutions of the

state, that is, deal with the reformatory as well as the educational institutions, then I trust you will consider the propriety of placing all the educational institutions under one board. . . All the hospitals for the insane could be put under one board, the miners hospitals under another, and the penitentiary under another. The Reform School and the Girls' Industrial Home could be put with the educational institutions or under another board. . . I do not believe it is necessary to have separate treasurers of the boards of our public institutions, except probably the university. I recommend that it be provided that the superintendent or principal of each institution in charge of a board of regents or of directors be constituted the treasurer of the funds of the institution, and that he be bonded in a surety company, the cost thereof to be paid by the state. . . These institutions make requisitions on the state treasury for moneys appropriated for their use, and these moneys are then usually deposited in local banks and the state loses the interest. As long as the money is in the state treasury it draws three per cent interest. The law should require all public funds, whether held by treasurers of public institutions or other public officers, to be deposited in banks designated for the purpose, interest to be paid by the banks, and such interest to go to the object for which the money was appropriated."

8 Jan. '07, p. 95-97

64

#### Examination and inspection

- a **Wash. Mead.** "I have recently invited leading citizens of the state to visit, inspect and report on the conduct of the various public institutions and departments. . . I recommend that hereafter visitations of this character be made regularly by members of the Legislature, between sessions, and that you provide by law for such visitations and appropriate a fund to pay the necessary actual traveling expenses of the visitors." 14 Jan. '07, p.14-16

65

#### Officers

- a **Neb. Mickey.** "The chief executive should have conferred upon him absolute authority and power to remove at will any institutional head appointed by him, and his action should not be subject to the review of any court or board. . . My experience teaches me that institutional friction would be reduced to a minimum if it were understood that the executive's order of removal was final. I recommend that the law be amended in conformity with the idea here set forth. . ." 3 Jan. '07, p.13
- b **Neb. Sheldon.** ". . . All the superintendents and heads of the different institutions that are appointed should be held responsible for their conduct and for the management of their institutions directly to the Governor. The laws of this state should be amended so that in case of mismanagement and misconduct the Governor may remove them summarily. . ." 3 Jan. '07, p.41

65

- c **N. D. Sarles.** "I believe the trustees of all the institutions in the state should receive the same per diem and the same expense money."  
9 Jan. '07, p.7

67

## Public documents. Printing

*See also 2448, Municipalities*

- a **Ind. Hanly.** Recommends general revision of printing law; discontinuance of documentary journal as being compilation of reports published in other form; reduction of number of ballots; separation of insurance and auditor's reports; increase in number of Supreme Court reports; classification of printing for letting bids.  
10 Jan. '07, p.35-38
- b **N. M. Hagerman.** ". . . By a careful investigation of the many items contained in the Public Printer's report I find that the prices charged by him are greatly in excess of what the same work could have been done for elsewhere and if awarded by contract to the lowest responsible bidder. . . If the Public Printer elected by the Legislature farms out the work to others, it is presumably necessary that both he and the party who actually does the work make a reasonable profit. There is absolutely no necessity that a greater profit should be paid by the territory than by the individual. Outside of certain large and rich states such as Kansas and California, which have their own printing establishments, there are very few states in the Union at present that do not let their printing contracts to the lowest bidder. The detail provisions under which this is done differs in different states, but the object to be obtained is the same, that is to say, to secure the best work for the lowest possible price. I am of the opinion that this might easily be done in the case of New Mexico, by the repeal of all the sections referred to above except section 2615, of the Compiled Laws of 1897. This would be the most simple way of adjusting this matter to the satisfaction of the taxpayers. If, however, it should not be your desire to adjust the question in this manner I would suggest that the present law be entirely repealed and another one enacted in its place which will in a feasible way bring about the desired result, and I would suggest that after careful study of the question the laws of New York and Colorado have many excellent provisions which would be of much use in the drawing up of such a bill."  
21 Jan. '07, p.26-28
- c **N. D. Burke.** "I am informed that, since the passage of chapter 125 of the laws of 1899, the same being section 2382 of the Revised Codes of 1905, the county printing has cost 40% more than before the passage of such law. This you should inquire into, and, if found to be true, the law should be repealed, or you should enact a law fixing a maximum rate for public printing—fair and just compensation for the services rendered, and no more."  
9 Jan. '07, p.6

67

- d N. D. Sarles. "I recommend the repeal of the law confining state and county printing within the state. The present provisions invite collusion detrimental to proper results, and, in my opinion, since the present law has been in force it has in consequence cost the state and counties many thousands of dollars in excess of legitimate cost." 9 Jan. '07, p.4
- e Or. Chamberlain. "Section 1 of article XII of the Constitution, providing for the election and compensation of the State Printer, was so amended at the last general election that the Legislature may now place that officer upon a salary. I earnestly recommend that this be done in the interest of economy. . ." 16 Jan. '07, p.31
- f S. D. Crawford. ". . . For what it pays out for printing and binding in one year, the state could install a good printing and binding outfit of its own. By owning its own plant and by placing this work under the charge of a state printer and binder, the state could save thousands of dollars in the future and secure a better grade of work than it is now getting. Your attention is called to this matter as a subject for effective legislation." 8 Jan. '07, p.11
- g W. Va. Dawson. "I sympathize with the Secretary of State in his advocacy of a change in the laws concerning public printing, binding, and supplying printing paper and stationery, as he says that he knows nothing about printing. . . He must necessarily leave the conduct of that important branch of the public service to a subordinate of his office, and he must sign requisitions for the payment of large sums of money without knowing whether they are correct or not. The superintendent of public printing ought to be a printer, and he should have charge of all the printing done by the contractor, including the printing of the reports of the Supreme Court of Appeals. . . I see no reason why the Attorney General should have the burden of the printing of the Supreme Court reports. Having such, he is obliged to have a printing clerk in his office. It seems to me that the clerk of the Supreme Court of Appeals is the proper officer to prepare for publication and index the reports of that court, and when so prepared the printing and binding should be in charge of the superintendent of printing. . ." 8 Jan. '07, p.86-87
- h Wy. Brooks. The various state pamphlets should be condensed and published as one. 10 Jan. '07, p.13

77

## Legislature

*See also 2, Statutes*

79

### Election. Number. Apportionment. Vacancies

*See also 147, Minority representation*

- a Fla. Broward. "The provisions of the law are not elastic enough to fit the conditions which may arise and call for special

elections under its provisions. The various time limits set in the law should be shortened, as vacancies may occur in the Legislature, for instance, so close to the session of the same as to prevent the filling of the vacancy in time for the member elected to participate in the work of that body." 2 Apr. '07, p.58-59

- b N. J. Stokes. Recommends constitutional amendment to provide for election of assemblymen by districts instead of by county.

8 Jan. '07, p.41-42

- c Wash. Mead. "I recommend . . . the division of the state into congressional districts." 14 Jan. '07, p.29

- d W. Va. Dawson. ". . . I am convinced that the membership of the state Senate is too small, and that the increase of its membership would be in the interest of the public good. This honorable body now consists of 30 members, whereof 16 is a quorum, and nine is a majority of a quorum. We see, therefore, that nine members may have the power to pass laws, and the power to refuse to agree with the conclusions of the more numerous branch of the Legislature, consisting of 86 members. The membership is too small for steadiness, that is, for safety. I have seen the Senate reverse itself on important matters within 12 hours. I should say that a membership of 50 or 60 would be about the proper proportion. In many respects the counties are units and have peculiar interests that ought to be particularly represented in the state Senate. As the delegates are chosen on population, it might be well to select the senators by counties. . . ." 8 Jan. '07, p.89-90

*Apportionment: general laws*

- a Fla. Broward. New apportionment. 2 Apr. '07, p.59-60

- b N. Y. Hughes. Special message recommending reapportionment of Senate districts. 1 May '07

Same recommendation renewed. 24 June '07

Message to extra session convened to consider reapportionment.

8 July '07

- c N. D. Burke. ". . . At the time of the last apportionment our population was largely in the eastern part of the state, since which time the central and western parts of the state have increased in population, so as to be almost without representation in the legislative assembly, when compared with the legislative districts in the eastern part of the state. . . I recommend that the representation be equalized by cutting down the representation in the eastern part of the state, or wherever it may be necessary, and by increasing the representation in the western part of the state. . . ." 9 Jan. '07, p.5-6

- d Or. Chamberlain. New apportionment of legislative districts; calls attention to unfairness of present apportionment.

16 Jan. '07, p.33-34

- e R. I. Higgins. ". . . A Constitution which gives to Providence, Pawtucket, Newport, Woonsocket, and Central Falls, with

a total population of 318,000 (nearly three fourths of the inhabitants of the entire state), only 5 out of 38 members in our Senate, can not possibly be defended from the standpoint of either governmental fairness or public morals. These five cities have no more representation in the Senate than the five smallest towns, with a population of only 4700. In the House, while the injustice is not so marked, it is still glaringly unfair. While paying about three fourths of the taxes of the whole state, the cities have only 31 out of 72 members in the House. . . . It is substantially a denial of a republican form of government to the state of Rhode Island. . . . The provision in our Constitution, therefore, which gives to every town and city, regardless of its population or wealth, equal representation in the Senate and its present inequitable representation in the House, ought to be amended at once. . . ."

3 Jan. '07, p.3-5

- f **Wy.** Brooks. "Another measure, also guaranteed in party platforms and provided by the Constitution, is the enactment of a just reapportionment law. The census of Wyoming, taken in 1905, by authority of law, shows some marked changes in the population of the state by counties, as compared with the census taken in 1900, by the general government. In Big Horn and Sheridan counties the population has doubled during the five years from 1900 to 1906. In the enactment of this law I question the advisability of materially increasing the number of members in our Legislature. Should this view of the subject meet the approval of a majority of this body, it will be necessary to reduce the representation from some counties and add to it from others. . . ."

10 Jan. '07, p.5

*United States senators*

- a **Ala.** Comer. "I recommend that you pass a resolution requesting our congressmen to favor an amendment to the federal Constitution, to have the federal senators elected by the people instead of by the Legislature, as at present."
- 15 Jan. '07, p.22
- b **Col.** McDonald. "There is a rapidly increasing sentiment in this country that United States senators should be elected by the direct vote of the people. . . . You can lend moral force to the movement by memorializing Congress to give the people the opportunity to pass judgment as to whether or not they desire the change. . . ."
- 3 Jan. '07, p.17-18
- c **Ind.** Hanly. Recommends action toward securing amendment of federal Constitution for election of senators by direct vote.
- 10 Jan. '07, p. 61-62
- d **Ia.** Cummins. ". . . I am profoundly convinced that senators of the United States should be elected by direct vote. . . . I strongly recommend the passage of a resolution that will be an application to Congress, under article V, of the Constitution of the United States, for the calling of a constitutional convention to propose amendments to the Constitution."
- 14 Jan. '07, p.16-18

# CONSTITUTIONS AMENDMENTS PENDING

- 34**
- yc** Or. Referring to Legis. of 1909 amdt. to Const. 1857 art.7: abolishes County Court; amds. generally provisions as to Supreme and Circuit Courts. 15§ '07 p.506, 19 Feb.
- yd** Pa. Referring to Legis. of 1909 amdt. to Const. 1874 art.5 §6,8: consolidation of Courts of Common Pleas in Philadelphia and Alleghany counties; Legis. may establish separate court of criminal jurisdiction for Philadelphia county. 2§ '07 p.833
- ye** Pa. Referring to Legis. of 1909 amdt. to Const. 1874 art.9 §8: debt of municipality not to exceed 10% [7%] of assessed valuation. 1§ '07 p.834
- yf** Pa. Referring to Legis. of 1909 amdt. to Const. 1874 of sundry articles and sections relative to terms of office of various state and local officials; election days; state and mun. elections to be separate. 12§ '07 p.835
- yg** S. D. Submitting amdt. to Const. 1889 art.11: annual levy; graduated inheritance and income taxes. 1§. Vote Nov. 1908. '07, ch.96
- yh** S. D. Submitting amdt. to Const. 1889 adding art.29: salary of Atty. Gen. same as of state officers enumerated in art.4 §12. 1§. Vote Nov. 1908. '07 ch.97
- yi** Tex. Submitting amdt. to Const. 1876 art.7 §3: majority [¾] of taxpayers of school district may vote additional tax of 50c [20c] on \$100. 2§. Vote Nov. 1908. '07 p.413, 20 Mar.
- yj** Tex. Submitting amdt. to Const. 1876 art.5 §18: county may be redistricted into comrs. precincts *as may be provided by law*. 2§. Vote at next gen. or special election. '07 p.416
- yk** Tex. Submitting amdt. to Const. 1876 art.4 §5,17: salary of Gov. \$8000 [\$4000], of Lieut. Gov. \$2500 [same as members of Senate]. 2§. Vote Nov. 1908. '07 p.417
- yn** U. Submitting amdt. to Const. 1895 art.13 §7: tax rate not to exceed 8 mills, *4½ for gen. purposes, 3 for district schools, ½ for high schools*. 3§. Vote Nov. 1908. '07 p.272
- yp** U. Submitting amdt. to Const. 1895 art.11 §3: Legis. may erect new counties from old ones on vote of counties affected. 4§. Vote Nov. 1908. '07 p.273, 25 Mar.
- yq** U. Submitting amdt. to Const. 1895 art.13 §4: mines and mining property to be taxed by *State Bd. of Equalization*. 3§. Vote Nov. 1908. '07 p.274, 23 Mar.
- yr** Wash. Submitting amdt. to Const. 1889 art.7 §1-4 rel. to taxation, by substituting 1§. 3§. Vote Nov. 1908. '07 ch.67, 5 Mar.
- ys** Wash. Submitting amdt. to Const. 1889 art.1 §16: right of eminent domain for right of way for removal of timber. 3§. Vote Nov. 1908. '07 ch.69, 5 Mar.
- yt** Wis. Submitting amdt. to Const. 1848 art.8 §10: state may appropriate money or levy tax for construction or improvement of public highways. 2§. Vote Nov. 1908. '07 ch.238, 19 June
- yu** Wis. Submitting amdt. to Const. 1848 art.8 §1: Legis. may provide for graduated income tax. Vote Nov. 1908. '05 p.992; '07 ch.661, 16 July

34

- yv** **Wis.** Submitting amdots. to Const. 1848 art.8 §1,10: graduated income, privilege and occupation taxes, with reasonable exemptions, may be provided by Legis.; state may give aid for construction of public highways. 28. Vote Nov. 1908. '07 ch.661, 16 July
- yw** **Wis.** Submitting amdot. to Const. 1848 art.3 §1 12: qualified electors to include [white] persons of foreign birth declaring intention to become citizens *prior to Dec. 1, 1908; proviso* right hereby granted to cease Dec. 1, 1912. Vote Nov. 1908. Ratified by Legis. '05, p.994; '07 ch.661, 16 July '07 p.1289
- yx** **Wis.** Submitting amdot. to Const. 1848 art.5 §10: bill not returned by Gov. within 6 [3] days to become law; proviso. Vote Nov. 1908. Ratified by Legis. '05 p.994; '07 ch.661, 16 July '07 p.1281
- yy** **Wis.** Submitting amdot. to Const. 1848 art.8 §10: state may appropriate money or levy tax for construction or improvement of public highways. Vote Nov. 1908. '05 p.991; '07 p.889, 19 June
- z** **Wis.** Referring to next Legis. amdot. to Const. 1848 art.10 §3: district schools free to children aged 6 [4] to 20. 18 '07 p.1288
- zb** **Wis.** Referring to next Legis. amdot. to Const. 1848 art.4 §3: Legis. apportionment after [State and] U. S. census. '07 p.1293
- zc** **Wis.** Referring to next Legis. amdot. to Const. 1848 art.8 §10: Legis. may appropriate money, not to exceed 2/10 mill of taxable property, annually to develop water power and forests. '07 p.1293
- zd** **Wis.** Referring to next Legis. amdot. to Const. 1848 art.4 §21; compensation of legislator \$1000 [\$500] for regular session. '07 p.1295
- ze** **Wy.** Submitting amdot. to Const. 1889 art.15 §9: State Bd. of Equalization to consist of *chairman of bds. of county comrs.* [State Auditor, Treasurer and Sec. of State]. Vote Nov. 1908. '07 p.194, 16 Feb.

35

## Amendments adopted

The entries under this head are duplicated under the special subjects to which they pertain.

- a** **Del.** Amdg. Const. 1897 art.5 §4: voter not required to pay registration fee to qualify. 18. Ratified by Legis. of 1907. '05 ch.4, 30 Mar.; '07 ch.7, 21 Jan.
- b** **Mass.** Amdg. Const. 1870 by adding art. of amdot.: Gov. with consent of Council may remove justices of peace and notaries public. Adopted Nov. 1907. '06 p.843, 3 Apr.; '07 r.123, 24 June
- c** **Mich.** Amdg. Const. 1850 art.6 §6 rel. to compensation of circuit judges in certain counties. Adopted Apr. 1907. '07 p.502
- d** **Mich.** Amdg. Const. 1850 art.10 §10 providing for auditors in certain counties. Adopted Apr. 1907. '07 p.504
- e** **Mich.** Amdg. Const. 1850 art.18 §3 by rep. prohibition as to teaching convicts home industry. Adopted Apr. 1907. '07 p.505
- f** **N. Y.** Amdg. Const. 1894 art.8 §10: debts incurred for water supply by cities of 2d class after Jan. 1, 1908 not to be included within const. limit of indebtedness. Adopted Nov. 1907. '06 p.1897, 1 May; '07 p.2500, 29 May



## CONSTITUTIONS AMENDMENTS REJECTED

35

- g N. Y.** Submitting amdt. to Const. 1894 art.8 §10: debts incurred for water supply by cities of 2d class after Jan. 1, 1908 not to be included within const. limit of indebtedness. 2§. Adopted Nov. 1907.  
'07 p.2501, 29 May
- h N. Y.** Amdg. Const. 1894 art.12 §2 rel. to classification of cities: 1st class comprises cities of 175,000 [250,000] or more; 2d class, 50,000 to 175,000 [250,000]; 3d class, under 50,000. Adopted Nov. 1907.  
'06 p.1896, 2 May; '07 p.2503, 5 Mar.
- i S. C.** Ratifying amdt. to Const. 1895 art.8 §7 adopted by people Nov. 1906: city of Bennettsville may increase bonded indebtedness beyond 8% of taxable property for establishment and maintenance of water works or sewerage plant on submission to popular vote. 1§  
'07 ch.234, 19 Feb

36

## Amendments rejected

The entries under this head are duplicated under the special subjects to which they pertain.

- a Ct.** Amdg. Const. in form of revision of Const. 17p. Rejected Nov. 1907.  
'05 p.553, 19 July; '07 ch.214, 17 July
- b Ky.** Amdg. Const. 1891 §145 by adding ¶4: voter must have paid state, county, mun., district & school taxes of previous year 60 days prior to election. 1§. Rejected Nov. 1907.  
'06 ch.55
- c N. Y.** Referring to next Legis. amdt. to Const. 1894 art.7 §7: Legis. may authorize construction of water storage dams in forest preserve for public purposes. Not repassed by Legis. of 1907.  
'06 p.1895, 3 May
- d Tex.** Submitting amdt. to Const. 1876 art.3 §51: providing for home for Confederate veterans' wives and widows and women who aided the Confederacy. 2§. Rejected Aug. 1907.  
'07 p.412
- e Tex.** Submitting amdt. to Const. 1876 adding art.4 §27: Legis. to provide for office of Comr. of Agric. 2§. Rejected Aug. 1907.  
'07 p.414
- f Tex.** Submitting amdt. to Const. 1876 adding art.8 §9a: road tax or bond issue may be authorized by majority vote of taxpayers of county or subdiv. 2§. Rejected Aug. 1907.  
'07 p.415
- g Tex.** Submitting amdt. to Const. 1876 art.16 §21: printing, stationery etc. for depts. to be supplied as provided by law. 4§. Rejected Aug. 1907.  
'07 p.416
- h Tex.** Submitting amdt. to Const. 1876 art.3 §24: compensation of members of Legis. not to exceed \$1000 in year of biennial session and \$5 per diem at special when held following year; mileage of 3c. 3§. Rejected Aug. 1907.  
'07 p.419
- i Tex.** Submitting amdt. to Const. 1876 art.8 §9: city of 5000 may establish improvement district. 2§. Rejected Aug. 1907.  
'07 p.420

37

## Pending propositions

- a Cal.** Submitting to electors change of capital from Sacramento to Berkeley. 2§. Vote Nov. 1908.  
'07 ch.98, 6 Mar.

38

## Officers. Departments

Departments of agriculture are classified under Agriculture, departments of education under Education, etc.

- a **Col.** Committee to consist of Auditor of State and 2 holdover senators to prepare bill specifying number, duties and salaries of employees in executive depts.; report next Gen. Assembly.  
'07 p.649, 23 Mar.
- b **N. D.** Temporary clerical assistance in state offices. 1§  
'07 ch.49, 4 Mar.
- c **R. I.** Amdg. '05 ch.1248 §1 rel. to appointing successor of officer who *dies* or resigns during session of Legis. 1§ '07 ch.1430, 5 Apr.
- d **Vt.** Joint committee, 2 senators and 3 representatives to investigate expenses of comns.  
'06 ch.503, 19 Nov.

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### *Civil service examination*

- a **Col.** Establishing Civil Service Comn. of 3: appointed by Gov. and Senate for 6 years; regulations; appointment from head of list; appointees removable only on charges; Denver and cities of 1st and 2d class may adopt. 25§  
'07 ch.117, 30 Mar.
- b **Ill.** Amdg. '05 p.113, §11, state civil service law: treasurers of state charitable institutions exempt. 1§ '07 p.203, 19 Apr.
- c **Ill.** Amdg. '05 p.113, §4, 6, 9, 10, 12, 18, 19 & 35, rel. to civil service in state institutions; minor amds. 8§ '07 p.204, 25 May
- d **Mass.** Amdg. R.L.ch.19 §1 rel. to Civil Service Comrs: salary of chairman \$1500, others \$1200. 1§ '07 ch.344, 29 Apr.
- e **Mass.** Salary of Sec. of Civil Service Comn. \$3000. 2§  
'07 ch.454, 24 May
- f **Wis.** Amdg. '05 ch.363 §4, 5, 10, to be S.'98 §900 subdiv.4, 5, 10 rel. to Civil Service Comn.: employees; place of holding examinations. 3§  
'07 ch.256, 19 June

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### *Oath. Installation*

- a **Mon.** Amdg. P.C.§1012: officer to take oath between 30 [10] days after notice of election and 15 days before commencement of term. 1§  
'07 ch.1, 30 Jan.

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### BONDS. SURETIES

- a **Mich.** Amdg. '05 ch.311 §1: state to pay premiums of surety company bonds of *certain* [any] state officers *charged with custody of funds but receiving no compensation therefor*. 1§  
'07 ch.143, 12 June
- b **Minn.** Amdg. R.L.'05 §4524 rel. to official bonds: to be double amount of penalty. 1§  
'07 ch.311, 23 Apr.
- c **Mon.** Official bond not void for defect in form, recital or condition. 1§  
'07 ch.193, 9 Mar.
- d **S. D.** Permitting sureties on official bonds running to state to limit liability. 1§  
'07 ch.79, 18 Feb.

## STATE DEPARTMENTS

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### *Preference of veterans*

- a **Kan.** Amdg. G.S.'01 §6509, rel. to preferment of veterans: minor amds. 2§ '07 ch.374, 8 Feb.
- b **Mich.** Amdg. '97 ch.205 §1, 2, 3 rel. to preferment of veterans for public employment. Adds §4. 4§ '07 ch.329, 28 June
- c **Minn.** Veteran of Civil War entitled to preference in appointment to public office, right enforceable by mandamus; may not be removed except for misconduct or incompetency after hearing, with right to certiorari. 2§ '07 ch.263, 19 Apr.
- d **N. J.** Veterans of any war of the U. S. not to be discharged from state or mun. service except for cause. 4§ '07 ch.14, 27 Mar.

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### *Qualifications*

- a **Tex.** Defining nepotism as appointment by state officer to governmental position of relative by blood or marriage within 3d degree; penalty, fine and forfeiture. 7§ '07 ch.10, 21 Feb.

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### *Reports*

- a **N. H.** Reports of state officers and bds. to close Aug. 31; to contain detailed financial statement. 2§ '07 ch.98, 2 Apr.

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### *Salaries. Fees*

- a **Ala.** Legis. committee of 5 to investigate adequacy of salaries of state officers and employees. '07 p.77, 6 Feb.
- b **Ala.** Fixing compensation of state officers and employees. 16§ '07 p.130, 22 Feb.
- c **Cal.** Submitting amdt. to Const. 1879 art.5 §19: salary of Gov. \$10,000 [\$6000] Lieut. Gov. \$4000 [per diem of Speaker of Assembly]; Sec. of State, Comptroller, Treasurer, Surveyor Gen. \$5000 [\$3000]; Atty. Gen. \$6000; clerks in such offices not to exceed \$1800 [\$1600]. 1§. Vote Nov. 1908. '07 p.1364, 14 Mar.
- d **Col.** Salary of Sec. of State and of Auditor of State \$4000. 2§ '07 ch.179, 3 Apr.
- e **Col.** Submitting amdt. to Const. 1876 art.5 §30: salary of Gov. \$7500 [\$5000] and \$2500 [\$1500] for private sec.; of judge of Supreme Court \$7500 [\$5000]; of judge of District Court \$5000 [\$4000]. 4§. Vote Nov. 1908. '07 ch.133, 15 Apr.
- f **Ct.** Rel. to salaries of clerks in offices of Sec. of State, Treasurer and Comptroller. 2§ '07 ch.210, 11 July
- g **Del.** Prohibiting increase in compensation of state or county officer during incumbency unless duties be increased by Legis. 1§ '07 ch.78, 1 Mar.
- h **Del.** Regulating fees of certain public officers. Amds. R.C. ch.125 §12-15. 7§ '07 ch.246, 29 Mar.
- i **Id.** Fixing compensation of certain executive officers and justices. 2§ '07 p.465, 14 Mar.

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- j **Ill.** Amdg. '72 p.420 §1, increasing salaries of state officers: Gov. \$12,000 [\$6000]; Lieut. Gov. \$2500 [\$1000]; Sec. of State \$7500 [\$3500]; Auditor of Public Accounts \$7500 [\$3500]; Treasurer \$10,000 [\$3500]; Supt. of Public Instruction \$7500 [\$3500] and Atty. Gen. \$10,000 [\$3500]. 1§ '07 p.331, 4 June
- k **Ia.** Amdg. sundry sections of C. rel. to compensation of Sec. to Gov. and deputy state officers: \$1800 [\$1500]. 8§ '07 ch.2, 6 Apr.
- n **Ia.** Number and compensation of employees in state depts. 1§ '07 p.284, 10 Apr.
- p **Mass.** Salaries of Sec. of Commonwealth, Treasurer and Receiver Gen., Auditor of Accounts and Atty. Gen. to be \$5000; Commonwealth to pay premiums on bonds. 2§ '07 ch.276, 6 Apr.
- q **Mass.** Amdg. R.L.ch.10 §10: salary of messengers of sergeant at arms \$1200 [\$1100]. 2§ '07 ch.359, 3 May
- r **Nev.** Salaries of certain state employees. 2§ '07 ch.34, 5 Mar.
- s **N. C.** Compensation of dept. employees fixed; all fees to be paid into treasury. 11§ '07 ch.830, 8 Mar.  
§8, 9, 11 amended. '07 ch.989, 11 Mar.
- t **N. C.** All fees of state officers, except of Supreme Court, to be covered into treasury; salaries of certain state officers fixed. 2§ '07 ch.994, 11 Mar.
- u **Pa.** Joint legis. committee of 5 to investigate salaries and number of state employees and to prepare bill fixing each definitely; report by Apr. 10, 1907. '07 p.810, 20 Mar.
- v **Tex.** Amdg. Pen.C.'95 art.256: penalty for public officer collecting excessive fee 2 to 5 years; for presenting excessive charge \$25 to \$250. Adds art.256a. 2§ '07 ch.164, 23 Apr.
- w **U.** Amdg. R.S.'98 §2050,2583 rel. to salaries of certain state officers and duties of Bd. of Equalization. 2§ '07 ch.28, 11 Mar.
- x **Vt.** Amdg. '96 ch. 123 §6 rel. to sworn statement of expenses of state comrs. and members of bds. 1§ '06 ch.213, 18 Dec.
- y **Vt.** Supt. of state institutions to keep record of visits of trustees and bd. of penal institutions; latter to get \$4 per diem. Rep. '06 ch. 191 §3. 5§ '06 ch.195, 19 Dec.
- z **Wash.** Fees of state and county officers, witnesses and jurors. Rep. '93 ch.130. 11§ '07 ch.56, 2 Mar.
- za **Wash.** Fixing salary of Gov., Lieut. Gov., Sec. of State, Treasurer, Auditor, Atty. Gen., Supt. of Public Instruction, and Comr. of Public Lands. 3§ '07 ch.94, 9 Mar.
- zb **Wis.** Amdg. S.'98 §170 rel. to salaries of various state officers and their employees. 9§ '07 ch.643, 15 July

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## *Tenure of office. Discipline*

- a **Ari.** Amds. Pen.C.'01 §678 rel. to removal of civil officers. 1§ '07 ch.11, 5 Mar.

## STATE DEPARTMENTS

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- b **Ct.** Authorizing Gov. to remove on charges comrs. appointed by him or by him with consent of Senate; investigation by Atty. Gen.; procedure. 4§ '07 ch.197, 11 July
- c **Ind.** Rep. '03 ch.13 rel. to terms of office of certain officers; legalizes elections held under such act; reenacts laws repealed by such act. 4§ '07 ch.24, 19 Feb.
- d **Mo.** Amdg. R.S.'99 §8853-55 rel. to removal of *local* officers; *complaint; trial; appeal*. Adds §8853a, 8854a, 8855a. 6§ '07 (ex. sess.) p.367, 13 May
- e **N. Y.** Gov. may investigate any state dept. at any time. Adds executive law '92 ch.683 §7. 1§ '07 ch.539, 20 June
- f **N. Y.** State officer in investigation of conduct of subordinate may issue subpoenas for attendance of witnesses. Adds public officers law '92 ch.681 §40a. 1§ '07 ch. 545, 21 June
- g **Pa.** Referring to Legis. of 1909 amdt. to Const. 1874 of sundry articles and sections rel. to terms of office of various state and local officials; election days; state and mun. elections to be separate. 12§ '07 p.835
- h **U.** Amdg. R.S.'98 §4580 rel. to accusation and trial of public officer for misconduct. 1§ '07 ch. 4, 16 Feb.
- i **Vt.** Any public officer or member of comm. may be imprisoned 1 year or fined \$1000 for wilful neglect of duty. 3§ '06 ch.190, 14 Dec.

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### Governor

*See also* 78a, Executive mansion; 85a, Governor's contingent fund

- a **Mich.** Submitting to people question of direct nomination of Gov., Lieut. Gov. and U. S. Senators. Vote Sept. 1907. '07 p.526, 28 June  
Unconst. Not adopted by majority of Senate.  
Kelley v. Sec. of State 112 N. W. 978 (1907)
- b **N. Y.** Gov. may investigate any state dept. at any time. Adds executive law '92 ch.683 §7. 1§ '07 ch.539, 20 June

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### Salary

- a **Ark.** Amdg. S.'04 §7361: salary of Gov. \$4000 [\$3000]. 1§ '07 ch.151, 8 Apr.
- b **Kan.** Fixing fees for certain official acts of Gov. 1§ '07 ch. 205, 7 Mar.
- c **Minn.** Salary of Gov. \$7000. 2§ '07 ch.240, 18 Apr.
- d **N. H.** Amdg. P.S.ch.286 §1: salary of Gov. \$3000 [\$2000]. 1§ '07 ch.90, 26 Mar.
- e **N. C.** Allowing Gov. \$600 per annum traveling expenses. 2§ '07 ch.1009, 11 Mar.
- f **Tex.** Submitting amdt. to Const. 1876 art.4 §5,17: salary of Gov. \$8000 [\$4000], of Lieut. Gov. \$2500 [same as members of Senate]. 2§. Vote Nov. 1908. '07 p.417

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## 44 *Secretary. Clerks. Employees*

- a Ark. Amdg. S.'04 §7378: salary of sec. to Gov. for services as such and as Adjutant Gen. \$2200 [\$1600]. 2§ '07 ch.229, 27 Apr.
- b Kan. Amdg. '05 ch.488 §2 rel. to employees and salaries in Gov.'s office. 2§ '07 ch.206, 7 Mar.

## 45 *Veto*

- a Cal. Submitting amdt. to Const. 1879 art.4 §16: bills unsigned by Gov. at adjournment of Legis. may be signed in 30 [10] days. 1§. Vote Nov. 1908. '07 p.1370, 14 Mar.
- b Wis. Submitting amdt. to Const. 1848 art.5 §10: bills not returned by Gov. within 6 [3] days to become law; proviso. Vote Nov. 1908. '05 p.994; '07 ch.661, 16 July
- c Wis. Referring to next Legis. amdt. to Const. 1848 art.5 §10: bill not returned by Gov. in 6 [3] days to become law. '07 p.1281

## 46 *Appointments*

- a Ct. Amdg. '05 ch. 262 rel. to appointments by Gov. to fill vacancies. 2§ '07 ch.233, 27 July

## 48 *Lieutenant governor*

- a Tex. Submitting amdt. to Const. 1876 art.4 §5,17: salary of Gov. \$8000 [\$4000], of Lieut. Gov. \$2500 [same as members of Senatel]. 2§. Vote Nov. 1908. '07 p.417

## 49 *Secretary of state*

- a Ala. State Auditor and Sec. of State may give surety company bonds; state to pay premiums not to exceed \$200. 2§ '07 p.525, 1 Aug.
- aa Cal. Amdg. P.C. §415, 420 rel. to assistants etc. in office of Sec. '07 ch.95, 6 Mar.
- b Cal. Amdg. P.C. §416 rel. to fees of Sec. of State: *copy of decree dissolving corp.* \$5; \$3500 [\$2500] of monthly receipts to be credited to State Library fund. 1§ '07 ch.281, 18 Mar.
- c Cal. Statistician in office of Sec. of State to perform special duties assigned; salary \$2400. Adds §419a to P.C. 1§ '07 ch.331, 19 Mar.
- d Del. Bond of Sec. of State \$10,000. 1§ '07 ch.90, 4 Mar.
- e Del. Amdg. R.S. ch.28 §8: Sec. of State to pay fees into treasury *1st week day of month* [promptly]. 1§ '07 ch. 91, 21 Mar.
- f Id. Amdg. C. §196 rel. to fees payable to Sec. of State. 2§ '07 p.215, 12 Mar.
- g Mich. Amdg. C.L.'97 §69, 98: salary of deputy to Sec. of State \$2500 [\$500], of deputy to Auditor Gen. \$2500 [\$700]. 2§ '07 ch.156, 17 June
- h Mo. Amdg. R.S.'99 §9697: salary of Sec. of State \$3000 [\$2500]; may not retain \$500 in fees. Rep. §9707. 2§ '07 p.421, 18 Mar.
- i Neb. Amdg. C.S.'05 §5905 rel. to fees of Sec. of State. 2§ '07 ch.139, 27 Mar.

## STATE DEPARTMENTS

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- j **N. H.** Amdg. P.S. ch.150 §18: report of Sec. of State to contain returns of corporation *and summary of other business of office.* 1§  
'07 ch.99, 2 Apr.
- k **N. Y.** Amdg. executive law '92 ch.683 §26 subdiv.4 rel. to fees of Sec. of State: certificate to be attached to paper; \$10 for certificate of consolidation of corporations. Adds §26 subdiv.17. 2§  
'07 ch.213, 25 Apr.
- n **Or.** Amdg. Ann.C.& S. §2923 rel. to fees of Sec. of State. 2§  
'07 ch.164, 25 Feb.
- p **S. D.** Amdg. '03 ch. 141 rel. to fees in office of Sec. of State. 2§  
'07 ch.149, 26 Feb.
- q **Tenn.** Joint legis. committee of 5 to investigate office of Sec. of State. '07 p.2193, 8 Feb.
- r **Tex.** Amdg. R.C.S.'95 art.2439 rel. to fees of Sec. of State. Adds art.2439a. 2§  
'07 (ex. sess.) ch.22, 16 May

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### Attorney general

- a **Ala.** Amdg. C.'96 §2030: Atty. Gen. may appoint Assistant Atty. Gen. in lieu of clerk; salary \$1500. 1§  
'07 p.113, 19 Feb.
- b **Ari.** Salary of Atty. Gen. \$2400, expenses not to exceed \$1000. 3§  
'07 ch.33, 14 Mar.
- c **Cal.** Amdg. P.C. §472, 475: additional assistant, clerk and stenographers for Atty. Gen.; bds. and officers may employ counsel with written consent of Atty. Gen. 3§  
'07 ch.72, 2 Mar.
- d **Del.** Salary of Atty. Gen. \$2500; may appoint 3 deputies. Rep. '05 ch.63. 3§  
'07 ch.93, 29 Mar.
- e **Mich.** Salary of chief law clerk to Atty. Gen. \$1800. 1§  
'07 ch.297, 27 June
- f **Mon.** Amdg. '01 p.96 rel. to assistants and stenographer in Atty. Gen.'s office. 4§  
'07 ch.13, 15 Feb.
- g **Mon.** Authorizing 3d assistant and additional stenographer. 1§  
'07 ch.83, 4 Mar.
- h **Neb.** County atty., sheriff, police judge, mayor, police officer, police comr. or other officer who wilfully fails to enforce any law may be removed by quo warranto proceedings instituted by Atty. Gen. at direction of Gov. 2§  
'07 ch.87, 3 Apr.
- i **Pa.** Gov. to appoint Assistant Deputy Atty. Gen.; salary \$3500; additional stenographer for Atty. Gen. 2§  
'07 ch.21, 21 Mar.
- j **S. D.** Submitting amdt. to Const. 1889 adding art.29: salary of Atty. Gen. same as of state officers enumerated in art.4 §12. 1§. Vote Nov. 1908.  
'07 ch.97
- k **S. D.** Atty. Gen. to be only legal adviser of Bd. of Railroad Comrs.; Gov. may appoint inspector to aid bd. in inspecting public warehouses and scales; salary \$100 per month during employment. 4§  
'07 ch.210, 5 Mar.
- n **Wis.** Amdg. S.'98 §131, 162 rel. to Atty. Gen.: special counsel; assistants; salaries. Adds S. '98 §170a. 4§  
'07 ch.500, 9 July

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- p Wy.** Atty. Gen. to receive salary of \$3000 [\$2000]; to approve securities for investment of state funds and official bonds; to require county and prosecuting attys. to report semiannually as to estates subject to inheritance tax. Amds. R.S. '99 §97. 3§ '07 ch.19, 13 Feb.

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# **State examiner**

- a Ala.** Amdg. C.'96 §1876: Gov. may allow Examiner of Public Accounts not to exceed \$2.50 per day for expenses while actually employed. 1§ '07 p.78, 7 Feb.
- b Col.** Auditor to appoint Public Examiner, term 2 years, salary \$2500; uniform system of accounts in state and county offices; examination. 11§ '07 ch.204, 3 Apr.
- c Minn.** Amdg. R.L.'05 §1589: Public Examiner to report to Gov. *biennially* [annually]. 1§ '07 ch. 128, 9 Apr.
- d Minn.** Public Examiner to examine at request of county comrs. books of township, village and school district officers. 4§ '07 ch.344, 23 Apr.
- e Minn.** Amdg. R.L.'05 §1588, 1590-91 rel. to salary of Public Examiner and number and salaries of his employees. 3§ '07 ch. 409, 25 Apr.
- f Mon.** Amdg. P.C. §494-99 rel. to State Examiner: time of reports to; expenses; assistants; contributions by counties; fees of banking and loan companies; penalties; bond. 7§ '07 ch.149, 7 Mar.
- g N. D.** Amdg. R.C.'05 §140 rel. to State Examiner: not to be employee of surety company. 1§ '07 ch.230, 19 Mar.

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## **Officers and departments created, abolished or reorganized**

Courts and court officers not included

The entries under this head are duplicated under the special subject to which they pertain. They are grouped here primarily for the use of the document librarian and the student of state administration.

- a Ala.** Creating State Fish and Game Comr.; elected for 4 years; salary \$2500; fish and game regulations; county and deputy wardens; licenses. 48§ '07 p.81, 19 Feb.
- b Ala.** Amdg. C.'96 §2030: Atty. Gen. may appoint Assistant Atty. Gen. in lieu of clerk; salary \$1500. 1§ '07 p.113, 19 Feb.
- c Ala.** Creating Railroad Comn.: 3 members elected for 4 years; salary of president \$3500, of associates \$3000; annual report to Gov.; jurisdiction over common carriers except street railroads; to require adequate facilities and just rates; investigations; witnesses to testify under immunity; no injunction to restrain rate orders to issue except on filing bond to pay excess of charges where not sustained; foreign corp. bringing action in federal court rel. to reasonableness of rates, to lose license. 53§ '07 p.135, 23 Feb.

Amended rel. to definition of "transportation company" subject to the comn.: to include steamboat companies, terminal companies, and telegraph and telephone companies. 2§

'07 p.716, 9 Aug.



# STATE DEPARTMENTS PERMANENT BOARDS

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- d **Ala.** Creating Immigration Bd. to consist of Gov., Comr. of Agric. and Industries and Immigration Comr.; Gov. to appoint Immigration Comr. for 4 years, salary \$2400; to induce immigration by publication of resources; \$5000 annual appropriation. 13§  
'07 p.313, 4 Mar.
- e **Ala.** Creating Inspector of Jails and Almshouses; appointed by Gov. for 4 years, salary \$2400; visitation; may compel giving of testimony; orders to be obeyed under penalty; report to be published in newspaper in county; inspection of cotton mills to ascertain sanitary conditions and ages of child employees; reports to Gov. 10§  
'07 p.335, 4 Mar.  
Amended rel. to office supplies for inspector. 1§  
'07 p.715, 13 Aug.
- f **Ala.** Providing for Bureau of Agric. Statistics in Dept. of Agric. and Industries; director appointed by Gov. for 4 years, no compensation; to publish weekly statistics of cotton ginned in state; msdr. for operator of ginnery to fail to furnish statistics. 5§ '07 p.278, 5 Mar.
- g **Ala.** Creating a State Tax Comn.; 3 members, appointed by Gov. for 4 years; salary of chairman \$3000, of others \$2400; office of State Tax Comr. abolished; gen. control of assessment and collection of taxes. 17§  
'07 p.425, 7 Mar.
- h **Ala.** Establishing State Livestock Sanitary Bd.; to consist of Comr. of Agric. and Industries, State Health Officer, Prof. of Animal Industry and Prof. of Veterinary Science of Ala. Polytechnic Institute; latter to be State Veterinarian; regulations for quarantine and importation of live stock and prevention of infectious diseases; annual reports to Gov. 15§  
'07 p.413, 12 Mar.
- ha **Ala.** Creating Ala. Monument Comn. to consist of Gov., commanders of state divisions of Confederate Veterans and Sons of Confederate Veterans, Director of Dept. of Archives and History and 8 Confederate veterans appointed by Gov.; to act on matters in connection with marking battlefields and to have charge of erecting monuments to Ala. troops. 4§  
'07 p.549, 6 Aug.
- hb **Ala.** Creating Bd. of Pharmacy; 3 members appointed by Gov., term 3 years; examination and registration of pharmacists; sale of poisons, narcotics etc.; license on itinerant vendors; penalties. Rep. C.'96 ch.89 and §5335. 17§  
'07 p.553, 6 Aug.
- hc **Ala.** Comrs. of Agric. and Industries to appoint soil surveyors with approval of Gov.; to investigate soil conditions with view to betterment of crops; report to Gov.; maps; to attend agric. meetings and school and lecture on soils; to cooperate with U. S.; \$10,000 annually. 5§  
'07 p.587, 13 Aug.
- hd **Ala.** Regulating practice of medicine; bd. of censors of Medical Association created State Bd. of Medical Examiners; examination and license; reciprocity with other states; miscellaneous provisions; penalty. 22§  
'07 p.591, 9 Aug.

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- i **Ari.** Creating Ari. Territorial Bd. of Examiners in Optometry to regulate practice thereof; 3 members appointed by Gov. for 4 years; \$5 per diem, 4c mileage to be paid from fees; report. 16§  
'07 ch.29, 14 Mar.
- j **Ari.** Creating Sheep Sanitary Comn.: 3 members, sheep owners, appointed by Gov. for 2 years; to protect goat and sheep interests. Rep. R.S.'01 §3052-57. 27§  
'07 ch.70, 21 Mar.
- k **Ari.** Creating Bd. of Examiners for examination of applicants for admission to the bar; 3 members, lawyers, appointed by Supreme Court for 3 years; \$10 per diem and expenses. Rep. R.S.'01 §391-98. 9§  
'07 ch. 76, 21 Mar.
- n **Ark.** Amdg. '07 ch.149: name of Bd. of Railroad Comrs. changed to Railroad Comn. 5§  
'07 ch.338, 17 May
- p **Ark.** Gov. to appoint professor of geology at University of Ark. State Geologist; Geological Comn. to consist of Gov., President of University and Comr. of Mines; to coöperate with U. S. govt. in making survey of deposits of state; \$1800. 6§  
'07 ch.417, 28 May
- q **Cal.** Creating State Engineer, appointed by Gov. and Senate; term 4 years; salary \$4800; and Dept. of Engineering to consist of Gov., State Engineer, Gen. Supt. of State Hospitals and Chairman of State Bd. of Harbor Comrs. of San Francisco; supervision of all public works of state. Rep. '93 ch.228; '97 ch.114, 245, 272; '00 ch.12. 26§  
'07 ch.183, 11 Mar.
- qa **Cal.** Bd. of Medical Examiners appointed by Gov. for 2 years, 5 from State Medical Society, 2 homeopaths, 2 eclectics, 2 osteopaths; qualifications of candidates for licenses etc. 18§  
'07 ch.212, 14 Mar.
- qb **Cal.** Rep. P.C. §367 which constituted Gov., Lieut. Gov. and Sec. of State a Bd. of State Prison Directors and Lieut. Gov. warden of such prison. 1§  
'07 ch.314, 18 Mar.
- qc **Cal.** Rep. P.C. §349 rel. to election and term of State Printer. 1§  
'07 ch.316, 18 Mar.
- qd **Cal.** Establishing Bd. of Directors of State Prisons: 5 members appointed by Gov. and Senate; term 10 years; gen. supervision and visitation; annual report to Gov.; to appoint wardens; duties of wardens; prison regulations. Adds §1572-96 to Pen.C. 26§  
'07 ch.317, 18 Mar.
- qe **Cal.** Creating State Bd. of Sheep Comrs; to consist of State Veterinarian and 5 appointed by Gov. for 4 years; compensation \$600 and expenses; to inspect sheep and quarantine and dip those affected with scabies; annual report to Gov.; penalties. 16§  
'07 ch.495, 23 Mar.
- qf **Cal.** Creating Bd. of Examiners in Veterinary Medicine; 5 members appointed by Gov. for 4 years; qualifications of applicants for license; examinations; reciprocity with other states; appeal from Bd. to Gov.; exceptions; penalty. 12§  
'07 ch.501, 23 Mar.
- qg **Col.** Entomologist of Agric. College created State Entomologist; salary \$500; assistants; county inspectors; to prevent importation and spread of injurious insects and plant diseases; sale of insecticides regulated. Rep. '97 ch.55. 13§  
'07 ch.19, 9 Apr.

# STATE DEPARTMENTS PERMANENT BOARDS

- 57
- qb Col. Creating State Geological Survey under State Geologist; advisory bd. composed of Gov., President of University, President of State School of Mines, President of State Agric. College; objects. 12§ '07 ch.78, 24 Apr.
- qi Col. Providing for State Parole Officer; appointed by Wardens of Penitentiary and Reformatory, confirmed by Comrs. thereof; salary \$1200. 3§ '07 ch.83, 17 Apr
- qj Col. Establishing Industrial Workshop for Blind; under Bd. of Control of 3, appointed by Gov. and Senate for 2 years; to teach trades suitable to blind. 11§ '07 ch.108, 8 Apr.
- qk Col. Rep. '07 ch.2 which created state and local bds. of arbitration. 1§ '07 ch.109, 17 Apr.
- ql Col. Creating State Bank Comr.: appointed by Gov. and Senate; 3 years citizen of state, 5 years' experience; salary \$3600; gen. banking regulations. 39§ '07 ch.111, 13 Apr
- qn Col. Auditor of State to be Inspector of Building and Loan Associations; articles of incorp. and semiannual report to be filed with him; annual inspection. 7§ '07 ch.113, 17 Apr.
- qp Col. Establishing Civil Service Comn. of 3: appointed by Gov. and Senate for 6 years; regulations; appointment from head of list; appointees removable only on charges; Denver and cities of 1st and 2d class may adopt. 25§ '07 ch.117, 30 Mar.
- qq Col. Creating Insurance Dept.; Gov. and Senate to appoint Comr. of Insurance for 2 years, salary \$3000; gen. insurance regulations. Rep. 17 acts. 74§ '07 ch.193, 1 Apr.
- qr Col. Creating State Comn. on Prison Labor to consist of Comrs. and Warden of Penitentiary, Warden of Reformatory, Sec. of Bd. of Charities and Corrections and Gov.; to regulate convict labor; regulations. 12§ '07 ch.201, 9 Apr.
- qs Col. Creating State Bd. of Accountancy; 3 members appointed by Gov. for 3 years at \$10 per diem; to examine and certify public accountants; reciprocity with other states. 17§ '07 ch.203, 27 Mar.
- qt Col. Auditor to appoint Public Examiner, term 2 years, salary \$2500; uniform system of accounts in state and county offices; examination. 11§ '07 ch.204, 3 Apr
- qu Col. Creating State Railroad Comn. of 3, elected for 6 years. salary \$3000; to regulate common carriers; unreasonable rate; discriminations and rebates prohibited; reciprocal demurrage; equipment. 29§ '07 ch.208, 22 Mar
- qv Col. Creating State Bd. of Pharmacy: 3 members appointed by Gov. for 6 years, \$5 per diem; examination and registration of pharmacists; record of sale of poisons. 20§ '07 ch.224, 18 Apr.
- qw Ct. Establishing State Bd. of Accountancy: 3 members, appointed by Gov. for 3 years; examination of certified public accountants; reciprocity with other states; penalty. 6§. '07 ch.202, 11 July
- qx Ct. Providing for female deputy factory inspector to look after welfare of female employees; \$5 per diem; Gov. to appoint Advisory Comn. of 3 women, for 6 years, to recommend appointees. 5§ '07 ch.241, 30 July

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**qy Ct.** Amdg. '05 ch.134 §1-4, 11, 12: term of Dental Comrs. 5 [2] years; annual report to Gov.; employment of unlicensed assistants prohibited. 7§ '07 ch.249, 1 Aug.
- qz Del.** Creating Collector of State Revenue; appointed by Gov.; term 4 years; salary \$1200; to investigate statements as to property subject to taxation filed with clerk of peace. 6§. '07 ch.112, 21 Mar.
- r Del.** Constituting State Bd. of Agric. Bd. of Immigration Comrs.; Gov. member ex officio; to encourage immigration from foreign countries; report to Gov. annually; \$2500. 7§ '07 ch.116, 4 Apr.
- ra Del.** Creating Bd. of Pharmacy of 5; appointed by Gov. for 5 years; examination and licensing regulations. 19§ '07 ch.140, 9 Apr.
- rb Del.** Providing for instructor of adult indigent blind; appointed by associate judges for 1 year; salary \$1200; instruction at home. 5§ '07 ch.142, 9 Mar.
- rc Fla.** Creating State Bd. of Pensions; to consist of Gov., Comptroller and Treasurer; schedule of pensions for Confederate veterans and their widows. 15§ '07 ch.5, 29 May
- rd Fla.** Gov. to appoint State Geologist to make survey; salary \$2500; annual report to Gov.; regulations. 7§ '07 ch.86, 3 June
- re Ga.** Increasing Railroad Comrs. from 3 to 5; office elective; term 6 years; extending jurisdiction to wharves, terminal, cotton compress, telephone, telegraph, street railway, gas and electrical companies; powers; enforcement of orders. 17§ '07 p.72, 23 Aug.
- rf Ga.** Creating bank bureau in Treasury Dept.; Treasurer to be State Bank Examiner; report of banks; insolvency; annual report to Gov.; examinations; penalties. 34§ '07 p.85, 22 Aug.
- rg Ga.** Creating Bd. of Examiners of Nurses: 5 members, appointed by Gov., term 3 years; examination and registration; unauthorized use of R.N. prohibited. 12§ '07 p.117, 22 Aug.
- rh Id.** Creating Bd. of Osteopathic Examination and Registration; 5 members appointed by Gov., term 5 years; qualifications, examination and registration of candidates; penalty. 6§ '07 p.128, 5 Mar.
- ri Id.** Creating State Bd. of Health to consist of Atty. Gen., State Engineer and 3 appointees; local bds. created; gen. supervision of health of public and in state institutions; registration of vital statistics. 34§ '07 p.182, 12 Mar.
- rj Id.** Creating Comm. of Summer Normal Schools to consist of State Bd. of Education and principals of Lewiston and Albion Normal Schools; schools to be held at Boise, Pocatello and Coeur d'Alene; \$6000. 13§ '07 p.225, 12 Mar.
- rk Id.** Creating Historical Society of State of Id. under bd. of trustees appointed by Gov.; acquisition of property of Historical Society of Id. Pioneers; librarian; duties; \$3500. 12§ '07 p.265, 12 Mar.
- rn Id.** Amdg. '05 p.364 §2: *Dairy Food and Oil* [State Horticulture]. Inspector ex officio Sealer of Weights and Measures. 1§ '07 p.340, 13 Mar.

# STATE DEPARTMENTS PERMANENT BOARDS

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**rp** **Id.** Creating State Highway Comn. to consist of Gov., State Engineer and State Mining Inspector; to lease road for toll road where county fails to maintain. 21§ '07 p.466, 14 Mar.
- rq** **Id.** Creating State Bd. of Textbook Comrs. to consist of Supt. of Public Instruction and 6 appointees of State Bd. of Education; term 6 years; to receive bids for supplying uniform textbooks in certain subjects at fixed prices. 14§ '07 p.476, 14 Mar.
- rr** **Id.** Creating State Grain Comn.: 3 members appointed by Gov., term 2 years, \$5 per diem; to establish standard grade and regulate weighing and inspecting grain; form of warehouse receipt; coöpera- tion with Or. and Wash. Adds '99 p.77 §8-19. 12§ '07 p.529, 15 Mar.
- rs** **Id.** Reorganizing Bd. of Dental Examiners and regulations for practice of dentistry as prescribed by '99 p.387. 11§ '07 p. 547, 16 Mar.
- rt** **Id.** Creating Id. State Bd. of Examiners in Optometry: 3 mem- bers appointed by Gov.; term 4 years; regulation of practice of optometry; examination and licensing of candidates; penalty. 18§ '07 p.574, 18 Mar.
- ru** **Ill.** Creating separate Dept. of Factory Inspection; duties; salaries. Rep. '93 p.99 §9. 3§ '07 p.310, 3 June
- rv** **Ill.** Creating State Bd. of Examiners of Registered Nurses, to consist of 5 members appointed by Gov. for 3 years. 12§ '07 p.383, 2 May
- rw** **Ill.** Amdg. '99 §6-9, 18, 19: State Mining Bd. to be appointed by Gov. [formerly State Comrs. of Labor]; examinations for in- spectors; for mine managers, hoisting engineers and mine examiners; minor amdts. 6§ '07 p.387, 27 May
- rx** **Ill.** Creates comn. for promotion of uniformity of legislation in U.S. consisting of 5 members, appointed by Gov. for 4 years; biennial report to Gov. 30 days before convening of Legis. 2§ '07 p.570, 3 June
- ry** **Ind.** Creating State Bd. of Tax Comrs.; 3 members appointed by Gov. and Sec. of State and Auditor of State; term 4 years; salary \$3000; to assess certain properties. Rep. sundry laws. 7§ '07 ch.93, 2 Mar.
- rz** **Ind.** Pure food and drug law; Chemist of State Bd. of Health to be State Food and Drug Comr.; salary \$2500. 12§ '07 ch.104, 4 Mar.
- s** **Ind.** Creating Bd. of Comrs. of the Nancy Hanks Lincoln Burial Grounds; 3 members, 2 appointed by Gov., Sec. of State, Bd. of Forestry ex officio; term 4 years; to care for said burial ground; \$5000 for immediate improvements; \$500 annually. 5§ '07 ch.106, 5 Mar.
- sa** **Ind.** Creating Legis. Reference Dept. in State Library; to col- lect data as to legislation, for use of Gen. Assembly; librarian ap- pointed by State Librarian, salary \$1500; annual appropriation \$4000. 3§ '07 ch.147, 9 Mar.
- sb** **Ind.** Creating State Entomologist; appointed by Gov. for 4 years, salary \$1500; to eradicate insect pests of trees; \$3500. 11§ '07 ch.177, 9 Mar.

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**sc** **Ind.** Auditor of State with approval of Gov. to appoint 4 bank examiners; term 2 years; salary \$2500; examinations; fees to be paid by banks. 6§ '07 ch.182, 9 Mar.
- sd** **Ind.** Creating Armory Bd. consisting of Gov., Adjutant Gen. and 5 members appointed by Gov., 3 to be officers of National Guard, for 4 years without compensation; to provide and care for armories; \$10,000. 11§ '07 ch.185, 9 Mar.
- se** **Ind.** Creating State Bd. of Registration and Examination in Optometry; 5 members, 4 optometrists and 1 oculist of 5 years' practice, not more than 3 of same political party; appointed by Gov. for 3 years, \$5 per diem. 19§ '07 ch.187, 9 Mar.
- sf** **Ind.** Gov., Auditor of State and Treasurer of State to constitute State Bd. of Finance; to supervise all funds received and in custody of state. 26§ '07 ch.222, 9 Mar.
- sg** **Ind.** State Bd. of Education constituted State Teachers' Training Bd.; to designate schools to be accredited in state system of normal instruction. 6§ '07 ch.239, 11 Mar.
- sh** **Ia.** Gov. and Senate to appoint Bd. of Parole of 3, term 6 years, at \$10 per diem; rules of parole. 21§ '07 ch.192, 2 Apr.
- si** **Kan.** Creating a State Entomological Comn.; powers; inspection of nursery stock; \$1000. 12§ '07 ch.386, 1 Mar.
- sj** **Kan.** Creating State Bd. of Embalming, to consist of 3 members appointed by the Gov., 1 retiring annually; powers. 17§ '07 ch.387, 12 Mar.
- sk** **Kan.** Creating State Bd. of Veterinary Registration and Examination, consisting of 3 members appointed by the Gov., 1 retiring each year; powers. 16§ '07 ch.388, 28 Feb.
- sm** **Me.** Gov. and Council to appoint State Historian to compile historical data of state and encourage publishing local histories and geographies and teaching of same in schools; town publishing and using in schools such work to receive not more than \$150. 5§ '07 ch.86, 20 Mar.
- sn** **Me.** Creating Comr. of Highways; appointed by Gov. and Council; term 4 years; salary \$2500. Rep. R.S. '03 ch.23 §99-105; '05 ch.146. 18§ '07 ch.112, 26 Mar.
- sp** **Me.** Providing for election of State Auditor; term 2 years; salary \$2500; must be accountant; duties. 10§ '07 ch.147, 26 Mar.
- sq** **Me.** Abolishing office of public binder; Gov. and Council to let out public binding on competitive bids. Rep. R.S. '03 ch.3 §32-34. 3§ '07 ch.176, 28 Mar.
- sr** **Mass.** Establishing Bd. of Boiler Rules; 5 members appointed by Gov. and Council; term 3 years; salary not over \$1000; to formulate rules for inspection of boilers by district police and inspectors of boiler insurance companies. 30§ '07 ch.465, 29 May
- ss** **Mass.** Comr. of Weights and Measures, appointed by Gov. and Council; term 3 years; salary \$2000; 4 inspectors at \$1200; to relieve Treasurer and Receiver Gen. of duties as to weights and measures; local scalers to report to Comr. annually in Nov. 6§ '07 ch.534, 19 June

# STATE DEPARTMENTS PERMANENT BOARDS

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**ss1 Mich.** Comn. of 3, appointed by Gov., to erect statue of Stevens T. Mason, 1st Gov., at place of interment, Detroit; \$10,000. '07 p.506, 26 Mar.
- st Mich.** State Game and Fish Warden to be known as State Game, Fish and Forestry Warden; to suppress forest fires; salary \$3000; abolishes chief fire warden. 3§ '07 ch.106, 22 May
- su Mich.** Bacteriologist, appointed by State Bd. of Health, to conduct examinations for health and other officers. 5§ '07 ch.109, 22 May
- sv Mich.** Reorganizing State Veterinary Bd.; unlawful to practise veterinary medicine without license. 14§ '07 ch.244, 27 June
- sw Mich.** Gov. to appoint comn. of 3 to erect equestrian statue of Gen. George A. Custer at city of Monroe; \$25,000. 3§ '07 ch.296, 27 June
- sx Mich.** Creating Railroad Comn.; 3 members, 1 of opposite political party, appointed by Gov. and Senate; term 6 years; salary \$3000; no jurisdiction of city railways; rates; discriminations; demurrage; procedure; enforcement of orders. 50§ '07 ch.312, 28 June
- sy Mich.** Reorganizing State Bd. of Dental Examiners and rev. regulations for practice of dentistry. Rep. '83 ch.140. 12§ '07 ch.338, 28 June
- sz Minn.** Creating Bd. of Examiners of Nurses: 5 members, appointed by Gov., 1 physician and 4 nurses; term 5 years; \$5 per diem; 10c mileage; registration and licensing of nurses. 16§ '07 ch.153, 12 Apr.
- t Minn.** Gov. to appoint State Inspector of Apiaries; term 2 years; \$1000 for compensation and inspection; inspection of hives; sale of foul broods prohibited; penalties; annual report to Gov. 6§ '07 ch.160, 12 Apr.
- ta Minn.** Gov. member of Forestry Bd.; terms of 3 members extended to 2 years. 2§ '07 ch.171, 12 Apr.
- tb Minn.** Creating State Bd. of Immigration to consist of Gov., Auditor of State, Sec. of State and 2 others appointed by ex officio members for 2 years; to appoint Comr. of Immigration; to advertise resources of State, encourage immigration and cooperate with Land Comr. in disposal of public lands. 6§ '07 ch.267, 20 Apr.
- tc Minn.** Establishing State Industrial School for Girls: Bd. of control to supervise construction; cottage plan; Gov. to appoint Bd. of Women Visitors of 5 annually; inspection and report; \$25,000. 11§ '07 ch.282, 22 Apr.
- td Minn.** Bd. of Investment for school, university and other permanent trust funds to consist of Chief Justice of Supreme Court, President of Bd. of Regents, Gov., State Treasurer and State Auditor; last 3 to act rel. to loans to counties, municipalities etc.; otherwise unanimous vote required. 2§ '07 ch.340, 23 Apr.
- te Minn.** Rel. to Bureau of Labor *Industries and Commerce*; duties extended to enforcement of compulsory education law, and condition of commerce and agric.; salaries of deputies and employees. Amds. R.L.'05 §1789, 1791-92, 1795-97. 10§ '07 ch.356, 23 Apr

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**tf Minn.** Creating Minn. Tax Comn.: 3 members appointed by Gov., term 6 years, salary \$4500; gen. supervision of state and local taxation. 18§ '07 ch.408, 25 Apr.
- tg Minn.** Providing for Clerk of Govt. Surveys in office of Sec. of State; salary \$1500; to have charge of records of office of U. S. surveyor gen. of state, now abolished. 2§ '07 ch.416, 25 Apr.
- th Minn.** Creating State Veterinary Examining Bd.: 5 members appointed by Gov. for 5 years; licenses; fees; penalties. 6§ '07 ch.419, 25 Apr.
- ti Minn.** Creating Stallion Registration Bd. to consist of professor of animal husbandry Minn. College of Agric., veterinarian of State Experiment Station, president of Minn. Horse Breeders' Association; to register pedigrees of public service stallions; license; regulations. 11§ '07 ch.436, 25 Apr.
- tj Minn.** Establishing State Bd. of Visitors for Public Institutions of 6; appointed by Gov.; latter ex officio member; term 6 years; bipartizan; report to Legis. every 2 years. 4§ '07 ch.441, 25 Apr.
- tk Minn.** Creating State Drainage Comn. to consist of Gov., State Auditor and Sec. of State; chief engineer; to drain lands and straighten streams; procedure. Rep.'05 ch.106. 34§ '07 ch.470, 26 Apr.
- tn Mo.** Amdg. R.S.'99 §4707-8: Mo. State Poultry Association created state bd.; 7 members appointed by Gov., term 2 years; annual report. Adds §4708a-d. 6§ '07 p.64, 7 Mar.
- tp Mo.** State Bd. of Agric. to appoint State Inspector of Apiaries at \$4 per diem; duties. 6§ '07 p.67, 8 Mar.
- tq Mo.** Amdg. '05 p.133 §1,2 rel. to Dairy and Food Comr. Adds §10-17. 10§ '07 p.246, 22 Mar.
- tr Mo.** Creating State Bd. of Horticulture to consist of 1 trustee from each of 6 designated districts; appointed by Gov. for 4 years; bipartizan; annual report to Gov. Rep. R.S.'99 §4705-6. 10§ '07 p.301, 7 Mar.
- ts Mo.** Amdg. R.S.'99 §10073-76, 10078-81, 10083-84 rel. to Bureau of Labor Statistics and Inspection of Factories, Mines and Workshops. 10§ '07 p.329, 19 Mar.
- tt Mo.** Creating Mo. Library Comn. to consist of Supt. of Schools, President of State University and 3 appointed by Gov. for 6 years; to advise local libraries, receive gifts, operate traveling libraries, and establish library courses in normal schools; annual report. 7§ '07 p.353, 20 Mar.
- tu Mo.** Creating State Highway Engineer; appointed by Bd. of Agric. for 4 years; salary \$2400; to aid in planning road on request of county and disseminate information as to best methods of construction. 10§ '07 p.406, 19 Mar.
- tv Mon.** Submitting amdt. to Const. 1889 art.12 §14: Gov., State Auditor and State Treasurer to constitute State Depository Bd. 3§. Vote Nov. 1908. '07 ch.23, 6 Mar.
- tw Mon.** Establishing State Bureau of Vital Statistics under Sec. of Bd. of Health; registration of births and deaths; burial permits; physicians, midwives and undertakers to be registered; penalties. 19§ '07 ch.25, 20 Feb.



# STATE DEPARTMENTS PERMANENT BOARDS

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- tx Mon.** Establishing Bd. of Railroad Comrs.; 3 members named, successors to be selected at polls; term 6 years; salary \$4000; to fix rates; schedules; gen. regulation; enforcement of orders; Gov. may suspend comr. and make temporary appointment. 37§  
'07 ch.37, 26 Feb.
- ty Mon.** Establishing State Bd. of Health to consist of Gov., Atty. Gen., State Veterinarian, Sec. of Bd. and 3 appointees of Gov. and Senate; term 4 years; \$5 per diem; Sec. executive officer, salary \$3000; powers; local bds. and officers. Rep. '01 p.80. 39§  
'07 ch.110, 6 Mar.
- tz Mon.** Creating State Textbook Comn.: 5 members appointed by Gov. for 5 years; to adopt uniform textbooks for public schools. 15§  
'07 ch.132, 7 Mar.
- u Mon.** Creating Mon. State Bd. of Examiners in Optometry, and regulating practice of optometry. 15§  
'07 ch.138, 7 Mar.
- ua Mon.** Creating State Game and Fire Warden ex officio Fire Warden; to serve with regular deputies without additional pay; to protect timber under regulations of Bd. of Land Comrs. 3§  
'07 ch.147, 7 Mar.
- ub Mon.** Establishing State Live Stock Sanitary Bd. to consist of presidents of Bds. of Stock Comrs., of Sheep Comrs. and of Health; State Veterinary Surgeon to be sec. and chief executive sanitary officer; prevention and suppression of contagious diseases. 19§  
'07 ch.152, 7 Mar.
- uc Mon.** Amdg. P.C. §3000, 3013 rel. to State Veterinary Surgeon: term 4 [2] years; salary \$3000 [\$2500]; qualifications. 3§  
'07 ch.160, 7 Mar.
- ud Mon.** Gov., Sec. of State and State Auditor to constitute Bd. of Voting Machine Comrs.; to inspect voting machines; requirements; permissive use; method of voting. 17§  
'07 ch.168, 8 Mar.
- ue Mon.** Creating Mon. State Fish Comn. to consist of State Game Warden and 2 appointees of Gov.; term 4 years; to erect hatchery; distribution of fish. 10§  
'07 ch.176, 8 Mar.
- uf Mon.** Rel. to banks: duties of Auditor transferred to State Examiner under title of State Bank Examiner; required reserves; loans limited; liability of stockholders; taxation; penalty. Rep. P.C. §4061. 8§  
'07 ch.190, 9 Mar.
- ug Neb.** Gov. to appoint State Bd. of Examiners in Optometry, of 3 members; duties. 8§  
'07 ch.85, 27 Mar.
- uh Nev.** Supreme Court may appoint official reporter; salary \$1500. 2§  
'07 ch.10, 13 Feb.
- ui Nev.** Creating State Engineer: appointed by Gov.; salary \$2400; gen. supervision of irrigation; further duties of State Bd. of Irrigation; regulations for use of water. Rep. '03 ch.4; '05 ch.46. 33§  
'07 ch.18, 26 Feb.
- uj Nev.** Constituting Atty. Gen. Mineral Land Comr.; to contest applications for patents of public lands, except mining claims, containing valuable minerals. 7§  
'07 ch.20, 26 Feb.

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**uk Nev.** Creating Railroad Comn.: 3 members appointed by Gov., Lieut. Gov. and Atty. Gen.; term 3 years; 1 to devote entire time, salary \$5000; others \$2500; supervision of railroad, telegraph and telephone companies; rates; service. 38§ '07 ch.44, 5 Mar.
- un Nev.** Creating State Textbook Comn.: to consist of State Bd. of Education and 4 principals or supts. of schools appointed by Gov.; latter ex officio; to secure uniformity of textbooks; contracts for furnishing; depositories. 15§ '07 ch.112, 22 Mar.
- uo Nev.** Gov., Sec. of State and State Treasurer may employ clerks and typists; compensation. 4§ '07 ch.45, 6 Mar.
- up Nev.** Gov., Sec. of State and State Treasurer to constitute Bd. of Bank Comrs.; to appoint bank examiner for 4 years, salary \$2750; inspection; bank to be licensed; examiner to assume control of insolvent bank; use of word "bank" prohibited unless authorized. 14§ '07 ch.119, 26 Mar.
- uq Nev.** Creating State Bd. of Sheep Comrs.: 3 members appointed by Gov.; term 4 years; salary \$2500; annual report to Gov.; inspection; quarantine; dipping. 18§ '07 ch.120, 26 Mar.
- ur Nev.** Creating State Auditor: appointed by Gov. for 4 years; salary \$2400; to examine books of state, county and township officers; to keep records open for inspection. 6§ '07 ch.123, 26 Mar.
- us Nev.** Creating State Industrial and Publicity Comn.: 3 members appointed by Gov.; term 4 years; chairman to receive salary of \$2500; advisory committee to consist of 2 persons from each county; to advertise resources and attractions of state; semiannual report. 11§ '07 ch.185, 29 Mar.
- ut N. H.** State Bd. of Nurses' Examiners chosen by Regent of Bd. of Medical Examiners; term 5 years; to license registered nurses and inspect nurses' training schools. 5§ '07 ch.50, 7 Mar.
- uu N. J.** Creating State Prison School Bd. to consist of principal keeper, 2 members of Bd. of Inspectors, and moral instructors of prison; to establish school in State Prison; courses; teachers; report to Bd. of Inspectors. 8§ '07 ch.65, 15 Apr.
- uv N. J.** Creating Bd. of Railroad Comrs.; 3 members appointed by Gov. and Senate for 6 years; salary \$5000; gen. supervision of railroads. 11§ '07 ch.197, 15 May
- uw N. J.** Establishing State Water Supply Comn.: 5 members appointed by Gov. and Senate for 5 years, salary \$2500; supervision of potable waters; plans for supplying water to be approved by comn.; may require annual report from water corporations; tax on water diverted in excess of 100 gallons per capita; annual report. 10§ '07 ch.252, 17 June
- ux N. J.** Gov. and Senate to appoint Bd. of Fish and Game Comrs. of 4, term 4 years; present comrs. abolished. 2§ '07 ch.259, 25 Sept.
- uy N. J.** State Bd. of Voting Machine Comrs. abolished; duties devolved on Sec. of State. 2§ '07 ch.268, 12 Oct.

# STATE DEPARTMENTS PERMANENT BOARDS

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- uz **N. M.** Establishing Bd. of Health and Medical Examiners; 7 physicians of 5 years residence, appointed by Gov. for 4 years; to license physicians on examination; regulation; fee; penalties. Rep. '03 ch.40. 12§ '07 ch.34, 16 Mar.
- v **N. M.** Creating Bd. of Water Comrs.; 3 members appointed by Gov. and Council for 4 years; to determine appeals from Territorial Engineer. Rep. '05 ch.102. 73§ '07 ch.49, 19 Mar.
- va **N. M.** Creating Territorial Engineer; appointed by Gov. and Council for 4 years; salary \$2000; to supervise use of waters; regulations as to securing water rights. Rep. '05 ch.102. 73§ '07 ch.49, 19 Mar.
- vb **N. M.** Creating Armory Bd. of Control in Santa Fe, Roswell, Silver City and Las Cruces to consist of Adjutant Gen. and 4 local commissioned officers designated by Gov.; to supervise erection and administration of armories; bond issue. 10§ '07 ch.55, 20 Mar.
- vc **N. M.** Rev. school laws; Bd. of Education reorganized; Supt of Public Instruction; duties; schedule of laws repealed and amended. 31§ '07 ch.97, 21 Mar.
- vd **N. M.** Creating Comr. of Public Lands; to have charge of land office; regulations for lease, sale and management; disposition of funds. Rep. '99 ch.74; '01 ch.69; '03 ch.78, 81; '05 ch.90, 111. 40§ '07 ch.104, 21 Mar.
- ve **N. Y.** State Bd. of Medical Examiners of 9, appointed by Regents for 3 years, to replace separate State, Homeopathic and Eclectic Bds.; requirements for admission to examination; osteopaths to be licensed, on 4 year course after 1910; subjects of examination; registry of license with county clerk; reciprocity with states requiring equivalent education; exceptions; penalties. Rep. public health law '93 ch.661 art.8. 16§ '07 ch.344, 13 May
- vf **N. Y.** Amdg. state charities law '96 ch.546 §3 rel. to membership of state bd. 1§ '07 ch.380, 28 May
- vg **N. Y.** Reorganizing State Comn. of Prisons: 7 members appointed by Gov. and Senate; term 4 years; \$10 per diem; visitation and inspection; annual report to Legis.; reports of wardens etc. to comn.; enforcement of rights and powers. Rep. '95 ch.1026; '96 ch.430; '01 ch. 12. 16§ '07 ch.381, 28 May
- vh **N. Y.** Establishing 2 Public Service Comns., 1 for city of New York, 1 for rest of state, of 5 members each; appointed by Gov. and Senate; term 5 years; salary \$15,000; gen. control of railroads, street railways, express, car, sleeping car, freight, gas and electrical companies; practice before comn.; immunity of witnesses; service and charges of such corporations; discriminations; publication of schedules; passes prohibited; investigation of accidents; uniform system of accounts; transfer of franchises; stock, bonds etc.; inspection of meters; summary proceedings; reports of corp.; annual report of comn. to Legis.; penalties. Rep. sundry laws and abolishes Railroad, Gas and Electricity, and Rapid Transit Comns. 78§ '07 ch.429, 6 June

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- vi N. Y. Establishing State Probation Comn. to consist of 4 appointees of Gov., term 4 years, and 1 member from each of State Bd. of Charities and State Comn. of Prisons, and Comr. of Education; gen. supervision of probation officers. 2§ '07 ch.430, 6 June
- vj N. Y. Amdg. R.S.pt.4 ch.3 t.2 §75, 76: Bd. of Parole for State Prisons created; to consist of Supt. of Prisons and 2 appointees of Gov. and Senate; term 5 years, \$10 per diem; system of parole. 2§ '07 ch.467, 10 June
- vk N. Y. Amdg. labor law '97 ch.415 §30-37, 40-42, 60-63, 67-68, 140-48 rel. to organization of Dept. of Labor. 23§ '07 ch.505, 15 June
- vn N. Y. Creating Bronx Parkway Comn.; 3 members appointed by Gov. for 5 years, salary \$2500; to acquire and preserve lands along Bronx river; cost to be apportioned  $\frac{3}{4}$  to city of New York and  $\frac{1}{4}$  to Westchester county. 20§ '07 ch.594, 17 July
- vp N. C. Establishing State Bd. of Equalization to consist of Gov., Lieut. Gov., Auditor, Sec. of State, Treasurer, Atty. Gen. and chairman of Corp. Comn.; equalize assmt. of real estate; methods. 12§ '07 ch.261, 9 Mar.
- vq N. C. Establishing Bd. of Comrs. of Navigation and Pilotage for Cape Fear river; 5 members appointed by Gov. for 4 years; to appoint harbor master annually and license pilots; regulations as to pilotage. 18§ '07 ch.625, 6 Mar.
- vr N. C. Constituting Gov., Atty. Gen. and Auditor, State Bd. of Pensions; to examine claims and regulate granting of Confederate pensions. 21§ '07 ch.674, 8 Mar.
- vs N. C. Term of State Historical Comrs. 6 years; comn. to collect data and edit and publish same; to mark places of historic interest; public documents may be turned over to it for preservation; \$5000. Amds. Revisal '05 ch.96. 6§ '07 ch.714, 8 Mar.
- vt N. C. Creating State Bd. of Osteopathic Examination and Registration; 5 practitioners appointed by Gov., terms 5 years; applicants for examination to have high school education and 3 years in osteopathic college; subjects of examination; reciprocity with other states; penalty. 9§ '07 ch.764, 8 Mar.
- vu N. C. Creating Fish Comr., appointed by Gov. for 4 years, salary \$900; to enforce laws rel. to fin fish; under supervision of Geological and Economic Survey Bd.; net licenses; counties excepted. 15§ '07 ch.977, 11 Mar.
- vv N. D. Amdg. R.C.'05 §7608-9: State Engineer to be State Coal Mine Inspector; duties. 2§ '07 ch.52, 14 Mar.
- vw N. D. Gov. to appoint Inspector of Hotels; salary \$1800; term 2 years; regulations as to fire escapes and extinguishers, elevator shafts and sanitation; inspection fee; penalty. 16§ '07 ch.135, 15 Mar.
- vx N. D. Establishing State Live Stock Sanitary Bd.: 5 members appointed by Gov. for 5 years; \$3 per diem; employees; destruction of diseased animals; experts; annual report to Gov.; \$7500 annually; penalty. 21§ '07 ch.169, 15 Mar.

# STATE DEPARTMENTS PERMANENT BOARDS

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- vy** N. D. Gov., Adjutant Gen. and colonel of regiment to constitute Bd. of Armory Supervisors; to select sites, approve plans, supervise construction and audit bills for armories, transfer of armory on muster out; mortgaging armory to state. Rep. R.C. '05 §1789-93. 6§ '07 ch.174, 4 Mar.
- vz** N. D. State Bd. of Pharmacy increased from 3 to 5; regulations for practice of pharmacy revised. 33§ '07 ch.182, 15 Mar.
- w** N. D. Creating Enforcement Comr.: atty. appointed by Gov. for period deemed necessary by Gov.; salary \$2000; to enforce laws against manufacture and sale of intoxicating liquors. Rep. R.C. '05 §9395. 13§ '07 ch.187, 13 Mar.  
Declared unconst. Const. requires state's attys. to be elective.  
Ex parte Corliss 114 N. W. 962 (1907)
- wa** N. D. President of N. D. Library Association, Supt. of Public Instruction, and person appointed by Gov. and Senate for 2 years to constitute State Library Comn.; traveling libraries; assistance to free public libraries; to establish legis. reference bureau. 10§ '07 ch.243, 2 Mar.
- wb** N. D. Establishing State Bureau of Vital Statistics under supervision of State Bd. of Health; registration of births and deaths; duties of local authorities. 25§ '07 ch.270, 19 Mar.
- wc** N. D. Rep. R.C.'05 §396-99: State Weather Bureau abolished. 1§ '07 ch.273, 7 Mar.
- wd** Or. Creating Bd. of Trustees of A. R. Burbank Trust Fund to consist of Gov., Sec. of State and State Treasurer; to receive gifts and manage fund for use of orphans' home at Salem or Portland. 2§ '07 ch.39, 16 Feb.
- we** Or. Creating Railroad Comn.; 3 members appointed by Gov., Sec. of State and Treasurer; 1 at large to be elected after 1910; 1 from each congressional district to be elected after 1908 from district; 4 years, salary \$4000; to regulate transportation and commerce; \$35,000. 63§ '07 ch.53, 18 Feb.
- wf** Or. Gov.; with consent of court, to appoint 2 comrs. of Supreme Court to help relieve congestion of calendar; 2 years; salary same as judges. 2§ '07 ch.88, 21 Feb.
- wg** Or. Bd. of Portage Railway Comrs. to consist of 3 *members appointed by Gov.* [Gov., Sec. of State and State Treasurer]; no compensation; method of audit. Amds. '03 p.108 §1. 4§ '07 ch.104, 23 Feb.
- wh** Or. Creating Bd. of Comrs. of and incorporating Port of Columbia; 5 members appointed by Gov., vacancies to be filled by Legis.; to promote shipping and commercial interests. Rep. Ann. C.& S. §3991-4029. 23§ '07 ch.113, 23 Feb.
- wi** Or. Gov. to be Land Comr., to select lands allotted state by U. S.; creating State Land Agent to ascertain and satisfy land losses through U. S.; classification of state lands; Gov., Sec. of State and State Treasurer to constitute State Land Bd. to sell and lease state lands. Rep. Ann. C.& S. §3294-3330, '03 p.21, '05 p.214. 51§ '07 ch.117, 23 Feb.

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wj Or. Creating State Bd. of Forestry to consist of Gov., Sec. of State, Forest, Fish and Game Warden, member of Oregon Agric. College in charge of forest work, and 3 electors appointed by Gov. on recommendation; to investigate forest conditions and report to next Legis.; to supervise matters pertaining to forestry; fire wardens; rules regulating kindling fires in forests; penalties. Rep. '05 ch.227. 15§ '07 ch.131, 23 Feb.
- wk Or. Gov., Sec. of State and State Treasurer to constitute Bd. of Bank Examiners; to appoint Bank Examiner, term 4 years, salary \$3000; regulations for establishing and conducting banking business; penalties. 44§ '07 ch.138, 25 Feb.
- wl Or. Creating Bd. of Regents of Normal Schools; 9 members, consisting of Bd. of Education and 6 appointed by Gov.; terms of latter 6 years; to provide for control of normal schools by 1 bd. Rep. Ann. C.& S. §3471-89, 3401-3500, 3502-7. 16§ '07 ch.189, 25 Feb.
- wm Or. Creating Bd. of Sheep Comrs.; 3 members appointed by Gov. and Senate for 3 years; to appoint State Sheep Inspector, term 2 years, salary \$2000; to suppress infectious and contagious diseases of sheep. 31§ '07 ch.223, 25 Feb.
- wn Or. Adding osteopath to State Bd. of Medical Examiners; appointed by Gov. for 5 years; provides for licensing of osteopaths. 8§ '07 ch.235, 26 Feb.
- wo Pa. Dental Council to consist of Sec. of Internal Affairs, Comr. of Health, Supt. of Public Instruction, President of State Dental Society, Sec. of Bd. of Dental Examiners; to license applicants to practise; qualifications of candidates; Bd. of Dental Examiners of 6; term 3 years; appointed by Gov. from nominees of State Dental Society; subjects for examination; registry of license; penalty. 9§ '07 ch.127, 7 May
- wp Pa. Creating Supt. of Public Grounds and Buildings and abolishing present office; appointed by Gov. and Senate for 4 years; salary \$5000; duties. 7§ '07 ch.248, 31 May
- wq Pa. Creating Railroad Comn. of 3; appointed by Gov. and Senate; term 5 years; salary \$8000; to investigate common carriers, make recommendations and report violations of law to Atty. Gen. and Sec. of Internal Affairs. 25§ '07 ch.250, 31 May
- wr Pa. Providing for Deputy State Veterinarian; appointed by Gov. for 4 years; salary \$2100. 1§ '07 ch.195, 25 May
- ws Pa. Amdg. '03 ch.135 §6 rel. to Advisory Comn. of Public Records; 7 [5] members. 1§ '07 ch.316, 8 June
- wt Pa. Establishing Bd. of Comrs. of Navigation for Delaware river, 5 members from cities of Philadelphia, Bristol and Chester; jurisdiction over vessels, docks, bulkheads and basins. 17§ '07 ch.322, 8 June
- wu Pa. Abolishing Bd. of Port Wardens for port of Philadelphia, Harbor Master and Master Warden, and transferring property of same to Comrs. of Navigation for Delaware river. 3§ '07 ch.323, 8 June

# STATE DEPARTMENTS PERMANENT BOARDS

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**wv** R. I. Harbor Comrs. may appoint sec. who may be one of bd.; salary \$3000. 1§ '07 ch.1452, 19 Apr.
- ww** S. C. Creating Dispensary Auditor to examine dispensaries and liquor manufacturing establishments; appointed by Gov. for 4 years; \$2000 and expenses; report to State and County Treasurers every 3 months. 49§ '07 ch.226, 16 Feb.
- wx** S. C. State Bd. of Education to be State High School Bd.; to apportion state money according to length of courses, studies offered, number of pupils and industrial training. 10§ '07 ch.245, 19 Feb.
- wy** S. C. Creating Comn. on State House and Grounds: 3 members appointed by Gov. for 2 years without compensation; to beautify grounds and repair walks about State House; \$15,000 appropriation. 11§ '07 ch.250, 18 Feb.
- wz** S. C. Comn. to disburse annual appropriation of \$3500 for accommodation of needy Confederate veterans at annual reunion; Commander, Quartermaster Gen. and 1 member of organization appointed by Gov. 3§ '07 ch.258, 20 Feb.
- x** S. D. Creating State Bd. of Agric.; 5 members, appointed by Gov. for 2 years; \$3 per diem; sec. appointed by Gov. for 2 years, salary \$1500, ex officio Comr. of Immigration; duties; annual report to Gov. Rep. P.C. §158-70. 21§ '07 ch.76, 9 Mar.
- xa** S. D. Creating Food and Dairy Comr.; appointed by Gov. for 2 years, salary \$1600; to enforce pure food law; adulterations and misbranding defined. Rep. P.C. ch.27 art.8, 10. 46§ '07 ch.151, 11 Mar.
- xb** S. D. Creating Hotel Inspector; appointed by Gov. for 2 years; fees; rules for protection in case of fire; plumbing; penalties. 17§ '07 ch.165, 25 Feb.
- xc** S. D. Creating State Engineer; appointed by Gov. for 6 years, salary \$2000; to make regulations for acquiring and use of water rights; 3 water divisions each under comr. appointed by Gov. for 6 years; \$5 per diem; Water Comrs. and State Engineer to form Bd. of Water Comrs. to apportion waters; various regulations as to water rights. 60§ '07 ch.180, 7 Mar.
- xd** S. D. Gov., Sec. of State and State Treasurer to compose State Printing Comn.; public printing classified; bids; maximum rates; distribution; Gov. to appoint State Printer at \$150 per month while employed to superintend. Rep. P.C. §31-51, 55, 58, 59. 29§ '07 ch.205, 11 Mar.
- xe** S. D. Creating Bd. of Telephone Comrs. to consist of State Treasurer, State Auditor and 1 member appointed by Gov. for 2 years with salary of \$1200; may fix maximum rates and compel connection between companies; schedules of property to be filed with comn.; discriminations prohibited; penalties. 14§ '07 ch.239, 3 Mar.
- xf** Tenn. Creating bd. to examine and license optometrists; 3 members appointed by Gov.; term 6 years; \$6 per diem; regulations; penalty. 9§ '07 ch.39, 12 Feb.

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**xg Tenn.** Creating State Bd. of Elections: 3 members appointed by Gov. and Senate, but 2 of same political party; term 2 years; salary \$300; to appoint county bds. and issue commissions to comrs. 11§ '07 ch.435, 12 Apr.
- xh Tenn.** Creating Dept. of Immigration; advisory comm. of 10, appointed by Gov.; Comr. of Agric. to perform duties of dept. without additional compensation; annual report; methods of inducing immigration. 9§ '07 ch.469, 15 Apr.
- xi Tenn.** Creating State Highway Comr.: appointed by Gov.; term 2 years; salary \$2500; 2 assistants; regulations as to construction; county bds.; letting contracts; apportionment of funds among counties according to area; \$500,000 annually. 18§ '07 ch.560, 15 Apr.
- xj Tex.** Creating Bd. of State Accounting to consist of Gov., Sec. of State and chairman of Railroad Comn.; to investigate methods of bookkeeping etc. in state depts. and institutions and instal more adequate and uniform systems. 5§ '07 ch.31, 20 Mar.
- xk Tex.** Creating San Jacinto State Park Comrs.: appointed by Gov., term 2 years; to enlarge, beautify and preserve such park; \$25,000. 10§ '07 ch.48, 28 Mar.
- xn Tex.** Creating Anatomical Bd. to consist of professors of anatomy and surgery of incorporated medical schools; to superintend distribution and dissection of unclaimed human bodies; regulations. 10§ '07 ch.53, 3 Apr.
- xp Tex.** Creating Comr. of Agric.; elected for 2 years, salary \$2500; duties; annual report to Gov.; Dept. of Agric., Insurance, Statistics and History to be known as Dept. of Insurance and Banking, certain duties being transferred to Comr. of Agric. 17§ '07 ch.59, 4 Apr.
- xq Tex.** Constituting Gov., Comptroller of Public Accounts and Treasurer, bd. to calculate ad valorem taxes for state purposes; method. 4§ '07 ch.98, 15 Apr.  
 Amended. 5§ '07 (ex. sess.) ch.13, 16 May
- xr Tex.** Establishing Bd. of Medical Examiners; 11 members, appointed by Gov. for 2 years; qualifications of applicants; subjects of examination; penalties. 17§ '07 ch.123, 17 Apr.
- xs Tex.** Title of Fish and Oyster Comr. changed to Game, Fish and Oyster Comr.; \$700 additional salary; to enforce game laws; deputies; nonresident hunting license \$15. 14§ '07 ch.137, 18 Apr.
- xt Tex.** Creating Bd. of Barber Examiners; 3 members appointed by Gov. for 2 years, \$3 per diem; to examine and license barbers in towns of over 1000; fees \$2; penalty. 14§ '07 ch.141, 18 Apr.
- xu Tex.** Creating Bureau of Cotton Statistics in Dept. of Agric.; ginner required to report monthly number of bales ginned; method of making reports public; penalties. 9§ '07 ch.167, 23 Apr.
- xv Tex.** Creating State Mining Bd. of 7 appointed by Gov. for 2 years, \$5 per diem; to nominate to Gov. State Mine Inspector and receive reports of latter; salary of inspector \$1500; coal mine regulations. 21§ '07 ch.178, 30 Apr.



# STATE DEPARTMENTS PERMANENT BOARDS

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- xw** **Tex.** Establishing Tex. Bd. of Pharmacy: 5 members appointed by Gov. for 2 years; not to exceed \$5 per diem; none but licensed pharmacists to sell drugs; examination. 15§ '07 ch.186, 5 Apr.
- xx** **Tex.** Gov., Supt. of Public Instruction and 5 appointees of Gov. to constitute Text Book Bd.; to adopt uniform system of textbooks in certain subjects; bids; contracts; depositories for sale of books. 13§ '07 (ex. sess.) ch.9, 14 May
- xy** **U.** Creating Bd. of Comrs. for Promotion of Uniformity of Legislation in U. S.: 3 members, appointed by Gov. and Senate, term of 2 years; to act with similar bds. of other states. 5§ '07 ch.36, 13 Mar.
- xz** **U.** Creating State School Committee to consist of Supt. of Public Instruction, Principals of State Normal School and State Normal Training School, and 2 county supts. appointed by State Bd. of Education; to prescribe course of study for schools outside of cities of 1st and 2d class. 2§ '07 ch.57, 14 Mar.
- y** **U.** Creating State Bd. of Examiners in Optometry: 3 members appointed by Gov. and Senate; term 2 years; examination and license; annual renewal certificate; exceptions; penalty. 13§ '07 ch.85, 14 Mar.
- ya** **U.** Creating State Bd. of Accountancy: 3 members appointed by Gov.; term 4 years; subjects of examination; certificate to be renewed annually; penalty for unauthorized use of C. P. A. 4§ '07 ch.86, 14 Mar.
- yb** **U.** Creating State Bd. of Veterinary Medical Examiners: 3 members, appointed by Gov., term 3 years, \$3 per diem and expenses; applicants' qualifications; examination; exceptions. 15§ '07 ch.122, 23 Mar.
- yc** **U.** Creating State Bd. of Horse Comrs. to consist of Veterinarian and animal husbandman of Agric. College and Experiment Station; license for grade stallion pedigrees; lien for services. 13§ '07 ch.126, 23 Mar.
- yd** **U.** State Auditor created Comr. of Bureau of Statistics; present office of comr. abolished. Amds. '01 ch.55 §1; rep. §4. 4§ '07 ch.131, 23 Mar.
- ye** **Vt.** Creating Bd. of Trustees of Permanent School Fund to consist of Gov., Lieut. Gov., Treasurer and Supt. of Education, ex officio, and 3 members appointed by Gov. biennially. Rep. S. §737-44, 749-51, 753, and '04 ch.42; amds. §740. 18§ '06 ch.54, 14 Dec.
- yf** **Vt.** Creating Highway Comn. under charge of Highway Comrs.; appointed by Gov. and Senate for 2 years; salary \$1800; to have gen. charge of highway improvement and disburse annual appropriation of \$50,000. 16§ '06 ch.111, 22 Nov.
- yg** **Vt.** Creating Bd. of Railroad Comrs.; to consist of 3 members appointed by Gov. and Senate for 6 years; salary \$1200, chairman \$1500; biennial report. Rep. S. ch.172. 29§ '06 ch.126, 14 Dec.
- yh** **Vt.** Creating office of Cattle Comr.; Gov. to appoint for 2 years; \$4 per diem; supervision of diseased cattle; report. Rep. '02 ch.85, '04 ch.146. 7§ '06 ch.178, 15 Dec.

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**yi** **Vt.** Creating Bd. of Penal Institutions; 3 members appointed by Gov.; term 6 years; to supervise State Prison House of Correction, and Vt. Industrial School, whose bds. are abolished; Gov. to designate 1 member purchasing agent. 4§ '06 ch.191, 13 Dec.
- yj** **Vt.** Inspector of Finance to be known as Bank Comr. Amds. S. §5321. 2§ '06 ch.203, 19 Dec.
- yk** **Vt.** Creating Comr. of Public Printing; Gov. to appoint for 2 years; salary \$6 per diem; to advertise bids and let contracts for all public printing and stationery; and creating division of public documents in State Library to distribute publications; how distributed. Rep. S. §5423-53, '04 ch.50. 32§ '06 ch.214, 19 Dec.
- yn** **Vt.** Creating State Fair Comn.; 15 members and Gov. and Sec. of Bd. of Agric. ex officio; appointed by Gov., term 3 years; to hold annual fair; \$1000 annual appropriation. 6§ '06 ch.220, 19 Dec.
- yp** **Vt.** Creating Boundary Line Comr.; appointed by Gov.; \$4 per diem; to restore boundary monuments; joint expenditure with bordering state. 3§ '06 ch.226, 10 Dec.
- yq** **Wash.** Creating State Bd. of Finance to consist of Gov., State Treasurer and State Auditor: to invest school or state institutional funds in public bonds, giving preference to school district bonds; conditions. 4§ '07 ch.12, 11 Feb.
- yr** **Wash.** Assistant State Librarian in charge of law dept. to be known as State Law Librarian; to hold office at pleasure of Supreme Court; salary \$1800. 1§ '07 ch.32, 21 Feb.
- ys** **Wash.** Declaring botanists at University and College of Wash., State Botanists; to notify auditor as to noxious weeds in county; msdr. to allow noxious weeds to grow on one's land; road supervisors to enforce. 10§ '07 ch.84, 7 Mar.
- yt** **Wash.** Amdg. Ballinger's Ann.C.& S.'97 §2130: Bd. of State Land Comrs. to consist of Comr. of Public Lands, [Sec. of State, Supt. of Public Instruction], *Fire Warden and Forester and Bd. of Tax Comrs.* 1§ '07 ch.146, 12 Mar.
- yu** **Wash.** Creating State Highway Comr.; appointed by Gov. for 4 years, salary \$2500; also State Highway Bd. to consist of State Auditor, State Treasurer and State Highway Comr.; supervision of construction of state roads. Rep. '05 ch.174 §1-8. '07 ch.149, 12 Mar.
- yv** **Wash.** Creating Comr. of Horticulture, appointed by Gov., term 4 years, salary \$2000; to eradicate plant diseases and insect pests; deputies; county inspectors. 38§ '07 ch.162, 13 Mar.
- yw** **Wash.** Creating State Oil Inspector; appointed by Gov. and Senate, term 4 years, salary \$2000; deputies; to examine and test illuminating oil and petroleum products; report to Gov. in Jan. Rep. '05 ch.161. 8§ '07 ch.192, 15 Mar.
- yx** **Wash.** Amdg. Ballinger's Ann.C.& S.'97 §1716: State Bd. of Equalization to consist of *Auditor* [Sec. of State], Comr. of Public Lands, and *State Bd. of Tax Comrs.*; duties. 1§ '07 ch.215, 16 Mar.
- yy** **Wash.** Formation of banking corp. and regulation of banking business; Gov. to appoint State Examiner, term 4 years, salary \$3600. 53§ '07 ch.225, 16 Mar.

# STATE DEPARTMENTS PERMANENT BOARDS

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**yz W. Va.** Amdg. '99 ch.9 §1,2,7 rel. to W. Va. Humane Society: 5 [4] members of bd.; compensation. 3§ '07 ch.40, 24 Feb.

**z W. Va.** Creating Dept. of Mines: under chief appointed by Gov. and Senate for 4 years, salary \$2400; to provide more efficient system of inspection; regulations for mining operations. 27§

'07 ch.79, 27 Feb.

**za W. Va.** State Bd. of Examiners for Examination and Registration of Nurses: 5 members appointed by Gov., term 3 years; \$4 per diem; examination; penalties. 8§ '07 (ex. sess.) ch.11, 5 Mar.

**zb W. Va.** Bd. of Pharmacy: 1 from each congressional district, appointed by Gov. and Senate, term 5 years; examination and licenses; adulteration of drugs; sale of poisons, narcotics etc.; exceptions; penalties. 31§ '07 (ex. sess.) ch.12, 6 Mar.

**zc Wis.** Creating State Fire Marshal: appointed by Gov.; term 6 years; salary \$3000; to investigate origin of fires causing loss of \$25; local authorities to assist; may order building to be kept in safe condition; tax on fire insurance companies to defray expense. Adds S. '98 §1946g-q. 11§ '07 ch.228, 18 June

**zd Wis.** Creating Bd. of Veterinary Examiners: 3 members appointed by Gov.; term 2 years; examination for license; annual registration. Adds S. '98 §1492e subdiv.1-19; rep. §1492f. 21§

'07 ch.334, 21 June

**ze Wis.** Sec. of State, Comr. of Labor and Industrial Statistics, and chief clerk of State Land Office to constitute State Bd. of Immigration; to gather and disseminate information as to resources of state to encourage immigration. Adds S. '98 §237h-n. 7§

'07 ch.407, 25 June

**zf Wis.** Creating Waterways Comr.: appointed by Gov.; term 3 years; salary and qualifications same as Railroad Comr.; to have powers rel. to navigation formerly conferred on Railroad Comn. Adds S. '98 §1797m-v. 10§ '07 ch.429, 27 June

**zg Wis.** Creating State Park Bd.: 3 members appointed by Gov.; term 6 years; gen. supervision of state parks; to report before end of session on acquiring new parks and places of historical interest and natural beauty. Adds S. '98 §1494t subdiv.1-5. 6§

'07 ch.495, 9 July

**zh Wy.** Creating Bd. of Deposits to consist of Gov., State Treasurer and Sec. of State; to designate state depositories; care of local funds by local bds. and treasurers. 24§ '07 ch.30, 15 Feb.

**zi Wy.** Creating Dept. of Immigration to consist of Comr. of Public Lands, State Geologist and State Engineer; to advertise resources of state. 2§ '07 ch.75, 20 Feb.

**zj Wy.** Gov. to appoint Custodian of Industrial Exhibit of State; term 2 years; to collect and exhibit in Cheyenne specimens of industrial welfare of state. 3§ '07 ch.76, 20 Feb.

**zk Wy.** Constituting Wy. Humane Society State Bd. of Child and Animal Protection; Gov., Supt. of Public Instruction and Atty. Gen. to be ex officio members; annual report to Sec. of State. 7§ '07 ch.82, 20 Feb.

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- zn **Wy.** Requiring registration of deaths and births; State Bd. of Health to establish Bureau of Vital Statistics; local registrars; regulations and penalties. 10§ '07 ch.99, 20 Feb.

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### Temporary boards and officers

The entries under this head are duplicated under the special subjects to which they pertain. They are grouped here primarily for the use of the document librarian and the student of state administration. *See also* 59, Special investigations

- a **Ala.** Gov. and 4 persons appointed by him to constitute Comn. for Jamestown Exposition; \$25,000. 5§ '07 p.260, 4 Mar.
- aa **Ala.** Creating comn. to consist of Gov., Director of Dept. of Archives and History and 5 appointees of Gov. to prepare plans for celebration of one hundredth anniversary of battle of Tohopeka, Mar. 27, 1914, report to next Legis. 3§ '07 p.547, 6 Aug.
- b **Ari.** Comn. to select site for Territorial Prison and Territorial Industrial School; 5 members appointed by Gov.; \$10 per day and 10c mileage; to organize in 10 days and report 15 days thereafter. 4§ '07 ch.5, 25 Feb.
- c **Cal.** Gov. to be Alaska-Yukon-Pacific Exposition Comr. to supervise Cal. exhibit; \$100,000. 6§ '07 ch.154, 8 Mar.
- d **Cal.** Committee of 3, appointed by Gov. to urge mining legislation by Cong. '07 p.1276, 8 Mar.
- e **Col.** Gov., President of Denver Chamber of Commerce and President of American Mining Cong. to compose committee to erect American Temple of Mining in Denver for exhibition of minerals of U. S.; under management of American Mining Cong.; \$10,000 when \$100,000 is contributed by individuals. 6§ '07 ch.61, 17 Apr.
- f **Ct.** Gov. to appoint temporary Examiner of Public Records; to hold office till July 1, 1909; salary \$2000; to see that records are kept according to law and properly preserved; report to Gov. Jan. 15, 1909. 4§ '07 ch.131, 14 June
- g **Del.** Appointing comn. of 10 to erect monument to Brigadier Gen. John Dagworthy in graveyard near Dagsboro. 1§ '07 ch.24, 9 Apr.
- h **Del.** Creating Jamestown Exposition Comn. of 9; \$10,000. 4§ '07 ch.33, 21 Jan.
- i **Del.** Creating comn. of 9 to establish agric. experiment station in connection with Delaware College; \$20,000. 10§ '07 ch.50, 29 Mar.
- j **Fla.** Gov. to appoint committee of 5 to erect monument on battlefield of Chickamauga to Fla. soldiers who were in battle; \$15,000. 3§ '07 ch.116, 27 May
- k **Id.** Creating comn. of 5 to erect statute of late Senator George L. Shoup in National Statuary Hall at Washington; \$6000. 4§ '07 p.110, 5 Mar.
- n **Id.** Supreme Court to appoint comr. to revise codes; report to next Legis.; \$14,000. 12§ '07 p.178, 12 Mar.
- p **Ind.** Gov. to appoint 3 trustees for erection of monument on Tippecanoe battlefield; without compensation; report to Gov.; \$12,500, provided Cong. appropriate like amount. 3§ '07 ch.44, 25 Feb.

# STATE DEPARTMENTS TEMPORARY BOARDS

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- q Ind.** Creating comn. to erect monuments to Ind. regiments at battlefield of Vicksburg; 5 members veterans of Ind. regiments present at battle; appointed by Gov., without compensation; removable by Gov.; report to him; \$38,000. 11§ '07 ch.92, 2 Mar.
- r Ind.** Comn. of 3 to procure statue of Gen. Lew Wallace for National Statuary Hall in Washington; \$5000. 1§ '07 ch.102, 4 Mar.
- s Ind.** Comn. to erect monument at site of Andersonville prison to Ind. soldiers who died there; 3 resident Union veterans appointed by Gov.; \$10,000; report to Gov. 4§ '07 ch.208, 9 Mar.
- t Ind.** Gov. to appoint 3 trustees to erect monument and rebuild old Indian chapel at Menominee; report to Gov.; \$2500. 3§ '07 ch.280, 12 Mar.
- u Ia.** Joint legis. committee of 6 to supervise compilation of "Supplement to Code, 1907"; scheme of compilation and publication. 14§ '07 ch.221, 19 Feb.
- v Ia.** Creating comn. of 3 to revise and codify school laws; appointed by Gov. at \$8 per diem; report to next session; \$3000. 7§ '07 ch.222, 13 Apr.
- w Ia.** State Fish and Game Warden to investigate cost of dredging lakes used for boating and fishing; report to next session. 1§ '07 p.293, 9 Apr.
- x Me.** Comn. of 3, Gov. and 2 appointed by him, to erect monument at National Cemetery at Salisbury, N. C., to Maine soldiers who died there while prisoners; \$5000. '07 r.100, 13 Mar.
- xa Mass.** Comn. of 5 members, consisting of President of Senate, and 1 senator, Speaker of House and 1 member, and 1 person to be appointed by the Gov. to devise and report plans for extension of State House. 1§ '07 ch.545, 21 June
- xb Mich.** Creating Bd. of Jamestown Tercentennial Exposition Managers: 5 members appointed by Gov.; \$3 per day and expenses; quarterly report to Gov.; \$20,000. 9§ '07 ch.12, 6 Mar.
- xc Mich.** Creating Comn. of Inquiry; 9 members appointed by Gov.; to investigate creation of forest preserves out of forest or waste lands and management of same; to draft proposed law and submit to next Legis. 6§ '07 ch.188, 18 June
- xd Minn.** Gov. to appoint comn. of 5, survivors of 1st Minn. Volunteers, to erect heroic bronze figures of Col. William Colville at capitol and at grave in Cannon Falls; \$10,000. 2§ '07 ch.70, 28 Mar.
- xe Minn.** Appointing comn. of 3 to erect monument to 1st Minn. Battery on battlefield of Shiloh; \$5000. 2§ '07 ch.233, 18 Apr.
- xf Minn.** Creating Capitol Grounds Comn.: 3 members appointed by Gov., latter ex officio; to extend and beautify capitol grounds. 5§ '07 ch.281, 22 Apr.
- xg Minn.** Appointing comn. of 3 to survey and mark off battlefield of Wood Lake and purchase at least 1 acre thereof; report to Gov.; \$500. 3§ '07 ch.336, 23 Apr.
- xh Mo.** Gov. to appoint 3 comrs. to erect building and exhibit resources of state at Jamestown Exposition; \$45,000. 7§ '07 p.61, 16 Mar.

# N. Y. STATE LIBRARY INDEX OF LEGISLATION 1907

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- xi **Mon.** Gov. to appoint comr. to compile and revise codes; 2 years; \$4000 in full; method of compilation; publication; distribution; \$16,000. 16§ '07 ch.85, 4 Mar.
- xj **Mon.** Appropriating \$800 for restoration of Old Fort Benton; to be under supervision of bd. of 3 trustees appointed by Gov. 6§ '07 p.563, 7 Mar.
- xk **N. H.** Gov. and Council at discretion to employ agent for suppression of gipsy and brown tail moth; localities to be reimbursed; compulsory action; regulations; \$25,000. 10§ '07 ch.147, 5 Apr.
- xn **N. J.** Presiding officers of Legis. Houses and Adjutant Gen. to form committee to purchase portraits of certain former Govs.; \$2800. 2§ '07 p.738, 18 June
- xp **N. M.** Creating Capitol Improvement Bd.; 3 members appointed by Gov. and Council; to enlarge capitol and erect executive mansion; bond issue, \$50,000. 10§ '07 ch.67, 21 Mar.
- xq **N. M.** Providing for revision of statutes; comn. to consist of Atty. Gen. and 4 designated; \$20,000. '07 ch.95, 21 Mar.
- xr **N. Y.** Continuing comn. appointed pursuant to '06 ch.260 to investigate construction of bridges over and tunnels under Hudson river at N. Y. city; bridge comr. and appointee of mayor of N. Y. city added; \$5000. 2§ '07 ch.319, 7 May
- xs **N. Y.** Committee to represent state at national encampment of G. A. R. at Saratoga, Sept. '07, to consist of 4 appointees of Gov., Adjutant Gen., commander N. Y. dept. of G. A. R. and counsel to Gov.; \$35,000. 4§ '07 ch.401, 3 June
- xt **N. Y.** Appointing comn. to consist of Gov., 2 appointees of Gov., Lieut. Gov., Speaker of Assembly, 2 senators, 2 assemblymen to confer with comrs. of Vt. and Canada rel. to observance of tercentenary of discovery of Lake Champlain July 4, 1609; report 1908. 1§ '07 p.2511, 5 June
- xu **N. C.** Gov. to appoint comr. to act with one representing Va. to rerun and remark boundary. 5§ '07 ch.98, 2 Feb.
- xv **N. C.** Creating State Hospital Comn. of 5; appointed by Gov.; \$4 per diem and expenses; to purchase additional land and erect buildings for care of mentally defective at state hospital at Raleigh, Morganton and Goldsboro; \$500,000. 6§ '07 ch.191, 14 Feb.
- xw **Or.** Creating Alaska-Yukon-Pacific Exposition Comn.; 5 members appointed by Gov.; classification of exhibits; \$100,000. 10§ '07 ch.180, 25 Feb.
- xx **Pa.** Comn. of 5 to erect monument to Brigadier Gen. Theodore J. Wint in National Cemetery, Arlington, Va.; \$5000. 4§ '07 ch.360, 13 June
- xy **Pa.** Comn. of 5 appointed by Gov. to erect monument at Salisbury, N. C. to Pa. soldiers who died in Confederate prison there; \$20,000. 4§ '07 ch.366, 13 June
- xz **Pa.** Committee of 20, Daughters of Revolution, appointed by State Regent, to erect bronze tablet to John Jacob Mickly at Zion Reformed Church, Allentown, where he brought Liberty Bell in 1777. 2§ '07 ch.417, 13 June

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submitted to this test. It is also important to make the count as simple and easy as possible. No question of party expediency is involved, as all parties are treated alike." 2 Jan. '07, p.11-12

- c **R. I. Higgins.** "When the new ballot law was adopted, it was believed that the question of simplifying the patriotic task of voting had been practically settled. After two years' experience with this law, I believe the results have not justified its enactment. It is true that straight voting, so called, has been simplified, but at the expense of making difficult the voting of split, or independent, tickets. . . . There is one provision of the present law which is particularly objectionable. If a voter now makes his cross in a circle under the party emblem and then desires to vote against any person named on such ticket, he must not only make his cross opposite the name of a candidate in another column, but he must draw a line through the name of the candidate in the party column for which he has first voted. The requirement that he draw a line through such name ought to be abolished." 3 Jan. '07, p.8

- f **W. Va. Dawson.** ". . . I think the Massachusetts ballot goes too far; the great majority of men desire to vote a straight party ticket, and I see no reason why the law should not make it easy for them to do so, as well as to make it easy for them to vote otherwise. Therefore I should prefer the New York ballot. . . . Another advantage of the New York ballot is that it shortens the length of the ballot sheet and makes it less unwieldy. Under our law there must be a considerable blank space left under the name of every candidate. This, especially in presidential years, makes the ballot unwieldy." 8 Jan. '07, p.56

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### Furnishing. Distributing

- a **N. J. Stokes.** "The present method of distributing ballots outside of the polling place, while it may serve convenience in some few instances, aids the briber and bribe taker. . . . I recommend, therefore, that official ballots hereafter be not allowed outside of the polling place, and that laws be enacted to this end."

8 Jan. '07, p.30

- b **N. J. Stokes.** ". . . I recommend therefore that official ballots hereafter be not allowed outside the polling place or that some form of ballot be adopted which will prevent as far as possible means of identification between the bribe taker and the bribe giver. . . ."

18 June '07, p.7

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### Voting machines

- a **Ia. Cummins.** ". . . As the statute now is, when the Voting Machine Commission has passed favorably upon any machine, it stands as approved. . . . There should be an amendment giving

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either the commission or some other board the authority to cancel the approval, if, in use, the machine is found to be worthless." 14 Jan. '07, p.14

- b N. J. Stokes. ". . . There is an apparent opposition in many parts of the state to the voting machine. Whether this opposition comes from disappointed political ambitions, whether it is due to the careless management of the voting machine by election officers, whether it is due to that conservatism of mind which always opposes innovations, whether it has been developed by selfish interests, or whether it is well grounded and sincere, I shall not attempt to discuss. As a prevention of the corrupt and fraudulent ballot, however, the voting machine has merit. It practically prevents bribery at the polls, as there is no possible means of ascertaining how the bribe taker votes. It prevents the substitution by corrupt election officers of any ballot for the one actually cast by the voter. It prevents the extraction from the ballot box of a handful of ballots and the replacing thereof of ballots never cast. It prevents tampering with the tally sheet or a falsification of the count. It secures promptness of results.

Machinery may get out of order—it may be purposely disarranged; but machinery does not lie, cheat, or steal, and its errors are easily detected and corrected. The voting machine, in short, practically eliminates bribery, insures an honest election count and enters into no conspiracy with those who would defraud the ballot. The fate of the voting machine rests, as it should rest, with the sovereign voters of the state, but the lovers of good government and of honest elections should think calmly and deliberately before they condemn an agency more helpful to their cause than a thousand unenforced statutes."

8 Jan. '07, p.30-31

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## Registration

- a Mo. Folk. ". . . Our election laws could be improved upon. Amendments would be advisable, giving more power to election commissioners to supervise the work of judges and clerks, and to enable any citizen to question the legality of any registered voter, so that the registration lists may be purged of fraud before election day. The registration laws, I believe, should be by constitutional amendment made to include towns of 10,000 inhabitants and over. . ." 2 Jan. '07, p.14-15

- b Mon. Toole. ". . . Official returns show that at the last election there was a falling off of about 10,000 votes as compared with the vote of 1904. . . This may be the result of a lack of interest on the part of the citizen, or it may be, as claimed by many, that it is largely due to the confessed inconvenience and expense which our present registration law imposes upon many voters. In some states provision is made for registration without cost biennially with the county clerk between January 1st



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and June 1st, and before a justice of the peace in the several townships between the same periods, at an expense to the county in the latter case of ten cents for each person registered. This presupposes, of course, the printing and furnishing of necessary blanks to the proper officers for that purpose, including the necessary application for a transfer from one precinct to another in cases where the elector has changed his precinct residence after registration. The general scheme for this system of registration has been, I think, well considered in the state of Oregon. This would save a great cost to the several counties. . . I submit the subject for your careful investigation and consideration."

8 Jan. '07, p.4-5

- c **N.M. Hagerman.** ". . . I believe the law should be so amended as to provide for personal registration by each voter. . ."

21 Jan. '07, p.47

- d **R.I. Higgins.** "Under the existing laws, the final day for registration in each year is June 30th. In my opinion, this is altogether unfair, as four months is too long a time before election to bar the voter from registration. I believe every citizen ought to be allowed to register up to within thirty days of election. . . Boards of canvassers and registration officials in the various cities and towns ought to be required to visit the different voting districts of their respective cities and towns during the last month or six weeks of registration, and at such times as will be most convenient for the voters. . ."

3 Jan. '07, p.8-9

- e **W.Va. Dawson.** New registration law. 8 Jan. '07, p.53-54

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## Canvass. Contests

- a **N.Y. Hughes.** ". . . I recommend that immediate provision be made for a recount of the votes cast for mayor at the municipal election in New York city in 1905. The matter is not one into which any considerations with respect to persons or expediency should be allowed to enter. If upon a recount it is found that the present incumbent of the office received a plurality of the votes, he will be confirmed in his title, and the claims which have been vehemently asserted against it will be conclusively answered. If, on the other hand, his opponent was elected he should be seated. With reference to future elections the power should be supplied to order a recount summarily, which the Court of Appeals has found lacking in the present election law. Provision should be made both for an entire recanvass or a recanvass of the ballots cast in particular districts or for particular candidates. The courts should determine the propriety of the exercise of the power in particular cases, but the power should be conferred. The fact that such a summary recount can be had will not only provide means to determine the actual result, but will tend to promote the faithful performance of their duties by

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election officers. The late Attorney General recommends, and I fully concur in his recommendation, that the power to authorize the bringing of an action to try the title to office should not be lodged with the Attorney General. His own office may be in question. This power should be intrusted to the Supreme Court." 2 Jan. '07, p.9-11

- b N. Y. Hughes. Special message recommending provision for recount of votes cast for mayor in New York city election of 1905. 23 May '07

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## Presidential elections

- a W. Va. Dawson. "I have long thought that we ought to make a radical change as to the choice of presidential electors. I see no reason why their names should be printed on the tickets; there need only to be printed on the tickets the names of the candidates for President and Vice President of the United States. Let the law provide that the nominees for presidential electors shall be certified by the proper political officers to the Secretary of State, that there be printed on the ballot the names of the candidates for President and Vice President of each political party making such nominations; that there be given to each presidential elector as many votes as were cast for the candidate for President of his political party. . ." 8 Jan. '07, p.57-58

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## CRIMINAL LAW

Penal Code and Code of Criminal Procedure

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## Criminal procedure

For recommendations applying both to civil and criminal procedure *see* 695, Civil procedure

- a Cal. Pardee. "Another thing that is engrossing the attention of all thinking men in this state is the way in which, by juggling with the technicalities of the law, justice is defied and our courts and laws made laughingstocks by cunning lawyers. . . I commend this whole subject-matter also to the careful and patriotic attention of the Legislature, hoping that such changes in our criminal procedure will be made at this session as will prevent the spectacles that have, within the past two years, brought disgrace upon our laws and placed a premium upon dishonest, shameful, and indecent trickery. Be the fault where it may be, at the bar, in the trial courts, or in the Appellate or Supreme Courts, let the proper remedies be applied, so that those accused of crime shall be compelled to go to trial within a reasonable time; and let that trial be upon the merits, not the fine-spun technicalities, of the case and the law. Let a crime be quickly followed by punishment and not by judicial legerdemain and wearisome, justice-refusing technicalities." 7 Jan. '07, p.69-70

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- b **Mo.** Folk. “. . . Many cases are reversed on points foreign to the merits of the case, and costs thus piled up. When the cases go back again for trial often the state witnesses have died or disappeared, or their memory of the facts has become indistinct, and justice is thwarted. I do not desire to be understood as criticizing these decisions or the judges that render them, but the rules that make it seem necessary for the judges to decide cases in accordance with them. The Legislature has the power to remedy this by providing a simpler form of criminal procedure. It might be well, also, to provide that no case should be reversed for any error of the trial judge or defect in the pleadings, unless the Supreme Court find that the error resulted in a miscarriage of justice.” 2 Jan. '07, p.36-37

- c **Tex.** Campbell. “. . . The present complex and cumbersome procedure is a shield to the criminal, defeats justice, increases the number of our courts, and adds unnecessary burdens upon the taxpayers. . . A fair and impartial trial upon the law and the facts without tangled and technical rules should be accorded the accused, and when this is done, then, and not until then, so many trials and delays can be avoided and substantial justice may with some reason be expected in all cases. Now, then, without intending to suggest a limit to the remedies which you in your wisdom may devise, I respectfully suggest:

1 That you further limit jury exemptions and define and limit the causes for which the trial judge may in the exercise of his discretion grant excuses to men drawn for jury service. .

2 Either prescribe by statute a common sense form of charge for the jury in every criminal case of the grade of felony, or require such charge to embrace only the nature of the accusation and a copy of the statutes applicable to the offense charged and the facts of the case. . .” 16 Jan. '07, p.15-16

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## Apprehension, prosecution, indictment

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### Prosecutions

- a **Col.** McDonald. “A law should also be enacted preventing a district attorney from dismissing a criminal case without the consent of the trial judge.” 3 Jan. '07, p.14

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### Grand jury

- a **Col.** McDonald. “I believe the grand jury system should be rehabilitated in Colorado. While it is true that a judge can call a grand jury together when he deems it necessary, still it seems to be equally true that whenever a grand jury is called it is for political purposes only, and not for the purpose of getting at the real truth of existing conditions. . .” 3 Jan. '07, p.14
- b **N.J.** Stokes. “. . . The selection of a grand jury should not be vested in any one individual. While the names of the

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grand jurors should be kept confidential for public reasons, the selection of such bodies by lot out of a list of the citizens of the county, eligible for that duty, after such a list has been revised by the judge of the Court of Common Pleas, would serve the demands of fairness and would take the grand jury panel out of the suspicion of influence or favoritism. A panel so drawn would result in grand juries that would treat every case upon its merits and would weigh every consideration in the scales of evenhanded justice."

8 Jan. '07, p.26

- c N. J. Stokes. ". . . The selection of a grand jury should not be vested in any one individual. . . In some states grand juries are selected by commission, and some states have no such judicial tribunal. This indicates the belief in those states that either grand juries are unnecessary or where they exist they should be free from even the suspicion of partizan or personal influence. . ."

18 June '07, p.4-5

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## Criminal trials

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### Change of venue or judge

- a Mich. Warner. Recommends that the change of venue law of 1905 be radically amended or repealed.

3 Jan. '07, p.8

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## Evidence

*See also 246, Perjury*

- a Mo. Folk. ". . . I would recommend the enactment of a statute whereby witnesses could be forced to testify, but relieving them from prosecution by reason of their testimony given in a court of competent jurisdiction."

2 Jan. '07, p.38

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## Competence

- a N. M. Hagerman. Suggesting legislation allowing convicts to give testimony.

21 Jan. '07, p.44-45

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## Judgment. Sentence. Execution

225

### Appeals. New trials

- a N. D. Burke. ". . . If a defendant is convicted in the County Court, he can appeal to the District Court and there have his case started anew on the facts, and before another jury. The party losing a civil action before a jury in the County Court, can appeal to the District Court and there have his case tried anew before another jury. This is no relief to the District Court and is an increased expense to the county. . . I therefore recommend that section 8292 of the Revised Codes of 1905 be amended so as to provide for an appeal from the County Court direct to the Supreme Court. . ."

9 Jan. '07, p.10

## CRIMINAL PROCEDURE

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- b U. S. Roosevelt. "Another bill which has just passed one house of the Congress and which it is urgently necessary should be enacted into law is that conferring upon the government the right of appeal in criminal cases on questions of law. This right exists in many of the states; it exists in the District of Columbia by act of the Congress. It is of course not proposed that in any case a verdict for the defendant on the merits should be set aside. . ."

3 Dec. '06, p.1

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### Sentence

*See also* 353, Commitment; 363, System of sentencing and reform

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### Death penalty

- a Ala. Jelks. ". . . The indisposition of juries to sentence to hanging, as disclosed by the record, and the excitement which the possible hanging of this man created among respectable people, leads me to the conclusion that the hanging of white men in Alabama is almost an impossibility, and excites me to suggest to you that probably it would be as well to allow the law to declare against capital punishment except in a case of an offense against women. It is monstrous to allow a law to stand which is operative only against one class of our citizens. . ."

14 Jan. '07, p.24-25

- b Ind. Hanly. ". . . I am opposed to capital punishment in any form. . . The law requiring such punishment does violence to my every moral sense and I can not stand acquit at the bar of my own conscience until I have done what I can to put an end to the practice in Indiana. It is out of keeping with the spirit of the age in which we live. . . It has but one defense even in the minds of its adherents, that of public necessity. But that defense has never yet been adequately made out. The shedding of human blood does not deter crime—it begets it. The brutality of such a scene leaves every man who looks upon it the worse for having seen it. . . Society can be protected from the man who commits murder by life imprisonment quite as effectually as by taking his life. . . I have given this matter patient study and much research, and have been unable to find any reliable statistics that justify the belief that legal executions make the crime of murder less frequent. There is not a state in the Union where the death penalty is inhibited which does not have fewer homicides than most of the states whose laws impose it. . . As the executive I appeal to you to save the executive officers of the prison and of the state from the further infliction of such a penalty. . ."

10 Jan. '07, p.90-92

- c Vt. Bell. ". . . I am more firmly convinced than ever before that, as a safeguard against violence and as a protection to society in general, the law making capital punishment, in some form, the extreme penalty for crime should be retained on our statute books."

4 Oct. '06, p.9

## Jury

*See also 726, Civil procedure*

- a **N. C. Glenn.** "Speedy trials and certainty of punishment for the guilty are the best methods of preventing crime. The excuse for lawlessness and lynching is generally the slowness and uncertainty of court trials. . . To guard against fraud, the list of drawn jurors should not be published, and no clerk, sheriff, or other officer should be allowed to furnish any one a list, but it should be kept perfectly secret, and the sheriff, without disclosing the jury list, should quietly summon them to court. In capital cases, formerly a defendant could not testify in his own behalf, and therefore to equalize matters he was allowed 23 peremptory challenges, and as many more as he could show cause for. Now he can testify, and to give him so many challenges puts the state to a great disadvantage, and often defeats justice, for it enables the defendant (especially where there is more than one) to select a jury of his own liking, who are ready to acquit before entering the box. The state should be given four peremptory challenges, and the defendant six. . . There are, also, too many challenges to the favor, for why should good men, simply because their property did not consist of realty, or they had a suit in court, or had neglected, perhaps because absent, to pay their taxes, be disqualified from serving on the jury? There also should be very few exemptions from jury duty, to the end that the best and most intelligent citizens should serve. Also, in a county where there is feeling either for or against the defendant, in case you reduce the number of challenges, I recommend that the trial judge be authorized to send to an adjoining county and summon good and lawful men to attend the court where the trial is to be held, to serve as jurors. . ." 9 Jan. '07, p.16-17
- b **Tenn. Patterson.** ". . . When the defendant has the benefit of the presumption of innocence and the reasonable doubt, both of which are proper and should not be abridged, he has all that a rational system of administrative justice should require. But when further fortified by the right to challenge without cause 24 jurors after they have qualified, augmented by the difficulty of qualification under our decisions, the law can too often be successfully defied. . . I recommend on all indictments hereafter found that the peremptory challenges be reduced from 24 for the defendant to 10, thus leaving the number six for the state and 10 for the defendant, with the discretion vested in the trial judge to extend the peremptory challenges of a defendant in a capital case to 15 where, on account of extraordinary prejudice or for other good and sufficient cause, he may think the extension necessary to meet the ends of justice. What is urged on indictments charging capital offenses as reasons for the reduction of challenges, apply to those of lesser grade, and I there-

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fore recommend that on those for inferior felonies above the grade of petit larceny, the number of challenges for the defendant be reduced from 10, as now provided, to six, leaving the state four and the defendant six peremptory challenges. That on indictments charging petit larceny the number of challenges be fixed at three for the state and five for the defendant, instead of two and six as now provided, and in all misdemeanors the number is fixed at two each for the state and defendant, instead of five each, as now provided by law. As companion legislation on the subject of qualification of jurors, I recommend that the Legislature declare that on examination of a proposed juror it shall not be competent to ask him, either on direct or cross-examination, whether he has formed an opinion on a newspaper report, no matter what that report may contain, for any opinion thus formed must necessarily be from rumor or hearsay, and this is not changed by the fact that it is printed rather than oral. When a proposed juror is otherwise qualified and is prepared to render an impartial verdict on the law and the sworn testimony of witnesses in open court, it is all that justice should require. . . ."

'07, p.16-18

Recommendation renewed.

1 Apr. '07, p.2-3

- c **Wash. Mead.** ". . . The time and labor devoted to, and the expense incurred in, the trial of criminal causes may be reduced without doing injustice to the accused. Trials under our present procedure may decline into an ordeal to test the physical endurance of courts and juries rather than to determine the criminal responsibility of the defendant. In a trial unnecessarily prolonged jurors may become weary from restraint and impatient with delay, and, therefore, incompetent to discharge their full duty to the state and the accused, allowing, in a few instances, criminals to go unwhipped of justice. The great length of time required to secure juries in criminal trials, and the unnecessary expense incurred, suggests the advisability, without abridging the administration of justice, of amending the law relating to peremptory challenges and challenges for cause. The number of peremptory challenges should be reduced and the grounds relating to challenges for cause confined to reasonable limits."

14 Jan. '07, p.23-25

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## Crimes and offenses

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### Crimes against the government

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#### Administration of justice

246

#### *Perjury*

- a **Del. Lea.** ". . . I recommend that the criminal laws of the state be so amended and supplemented as that various forms of false swearing, other than perjury, may be punished."

1 Jan. '07, p.24

**256 Crimes against public order and security**

*See also 870, Public order*

**257** *Conspiracy*

- a Del. Lea. "I recommend . . . that the offense of conspiracy be by statute broadened in its scope." 1 Jan. '07, p.24

**260** *Vagrancy*

- a Ala. Jelks. ". . . A more efficient vagrancy law should be passed or the present one amended. The Supreme Court has held that the burden is upon the state to prove that the defendant has no property or means to support him. . . The burden of proof should be upon the defendant charged with vagrancy to establish the nature, kind and amount of property, if any, he has from which he gains a support." 14 Jan. '07, p.7
- b Ark. Little. "I recommend to you the importance of strengthening our vagrant laws, and authorizing cities and counties to place those convicted of vagrancy upon public improvements. . ." 18 Jan. '07, p.16
- c N. C. Glenn. "I also urge that the vagrant law be amended, giving adequate punishment in the discretion of the Superior Court. . ." 9 Jan. '07, p.17
- d Wash. Mead. "When it is disclosed by a competent tribunal in the investigation of crime that a person has a criminal record, is not regularly employed and has no fixed place of abode, the security of life and property should not be jeopardized by permitting him to remain at large until he has committed some criminal act. A chronic criminal of this character should not be 'moved on' by local authorities to become a charge on a neighboring municipality, but should be held in custody, employed on the public highways or given other occupation, and restrained of his liberty until paroled in the custody of some reputable person who will assume responsibility for his good conduct, or until it has been effectually demonstrated that he no longer is a menace to society." 14 Jan. '07, p.21

**262** *Weapons*

- a Del. Lea. "I recommend . . . that the jurisdiction of the offenses of carrying concealed a deadly weapon, pointing a pistol at another person and discharging a firearm upon the public highway be given to tribunals inferior to the Court of General Sessions where possible." 1 Jan. '07, p.24

**264 Crimes against public morals and the family**

*See also 929, Sunday observance*

**272** *Bigamy*

- a Del. Lea. "I recommend . . . that the punishment for bigamy be made more severe." 1 Jan. '07, p.24



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*Immoral literature and exhibitions*

- a S. C. Ansel. ". . . I think it important, also, to ask that you pass an act making it a misdemeanor to post or display in any public place or in any street or highway, indecent pictures of females. . . ." 15 Jan. '07, p.7

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*Polygamy*

- a U. S. Roosevelt. "It is neither safe nor proper to leave the question of polygamy to be dealt with by the several states. Power to deal with it should be conferred on the national government. . . ." 3 Dec. '06, p.29
- b U. Cutler. "In the Utah statutes the word 'polygamy' is used to designate a crime known in all other states under the title 'bigamy.' As some confusion has resulted from this difference in nomenclature, the suggestion is made, and I approve it, that the law be amended by substituting the word in common use in other states." 15 Jan. '07, p.26

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*Rape*

- a Ark. Little. "Criminal assaults upon women can not be tolerated in any civilized country, and every possible effort ought to be made to prevent them. To this end I recommend that the entering of any dwelling place at any time for the purpose or with the intent to commit the crime of rape upon any person being or dwelling there, be punishable by death, at the discretion of the jury trying the case; and that all assaults with intent to commit the crime of rape be subject to like punishment; and that, for the trial and punishment of these crimes, the judges of the different Circuit Courts be empowered to call a special term of their court immediately, and to impanel special grand and petit juries for the indictment and trial of persons charged with such offenses; and in cases of conviction that 10 days should be allowed to present the bill of exceptions to the judge of the Supreme Court for allowance, and no appeal shall be had except by the concurrence of at least three of the judges of said court. When allowed, said cases shall have precedence over the other business, and be brought to a speedy decision under such rules as said court may prescribe. This course will have a strong tendency to prevent mob law, which is always to be deplored. . . ." 18 Jan. '07, p.17
- b S. C. Heyward. "Recently the Legislature of Virginia enacted a law making an attempt at rape a capital offense, and providing also that the testimony of the victim could be taken in private and not before the public in a court room. I am informed by state officials of Virginia that this law is working satisfactorily. I think this a very important consideration, and I recommend the passage of such a law for our state. The holding of special terms of court has many objections, the principal one being the appearance of thus yielding to lawless de-

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mands hastily made. For the crime of rape, however, I am of the opinion that special courts should be held to try the culprit at once, and I hope our laws can be so amended in this respect."

8 Jan. '07, p.14

- c **S.C. Ansel.** "I further wish to call your attention to another matter which I consider of grave importance at this particular time in our history, and that is the enactment of a law providing the death penalty to any male person making an assault upon a female with intent to ravish, granting the right to the jury trying the case to fix the punishment at life imprisonment in the State Penitentiary, if in their judgment the facts warrant a less punishment than death. . . . I further recommend that an act be passed providing that in all cases of rape or assault with intent to ravish, the female may be allowed to testify in private, before the judge, in the presence of the counsel for the state and the defendant himself, and that the testimony so taken shall be read to the jury as the evidence of the said witness on the trial of the case. . . ."

15 Jan. '07, p.7

- d **U. S. Roosevelt.** ". . . Moreover, in my judgment, the crime of rape should always be punished with death, as is the case with murder; assault with intent to commit rape should be made a capital crime, at least in the discretion of the court; and provision should be made by which the punishment may follow immediately upon the heels of the offense; while the trial should be so conducted that the victim need not be wantonly shamed while giving testimony, and that the least possible publicity shall be given to the details."

3 Dec. '06, p.10

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## Crimes against persons

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### *Homicide*

- a **Del. Lea.** "I recommend . . . That the punishment for manslaughter may be made more severe."

1 Jan. '07, p.24

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## Crimes against property

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### *Embezzlement*

- a **Ind. Hanly.** ". . . I recommend that you enact a statute, the terms of which shall clearly make it embezzlement for any public officer to convert to his own use money received under color of his office, while acting under claim of official authority, no matter in whom the technical legal title thereto may be held to vest. . . ."

10 Jan. '07, p.9-12

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### *Fraud (miscellaneous)*

- a **Mass. Guild.** ". . . The bucket shop appeals primarily to those who expect and take a gambler's risk. As great, if not a greater, evil is the swindling not of speculators, but of small

## CORRECTIONS

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investors, by advertisement of bogus enterprises, notably of questionable mining schemes. . . I suggest to you the propriety of legislation against the attempted sale through misleading advertising of properties which in some cases are known to be worthless by the promoters and which in some cases do not exist at all. . ."

3 Jan. '07, p.27

- b **Mo. Folk.** ". . . I call your attention to the necessity of regulating the sale of stock certificates and investment contracts of mining and oil companies which should be under the control of this department. The newspapers are filled with alluring advertisements of mining stocks for sale. Many of these companies are fraudulent, and engulf the savings of the confiding and the credulous. . . The law can not entirely protect the people who will go into things of this kind, but to a large extent the operation of fraudulent concerns of this character can be prevented by putting them under the supervision of this department."

2 Jan. '07, p.5

- c **Mon. Toole.** Recommends that issuing of false or exaggerated statement of financial condition of corporation be made a felony.

8 Jan. '07, p.15

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## Corrections

*See also 60, State institutions; 2140, Charities*

- a **Ia. Cummins.** "I am more than ever impressed with the advantages that would be derived from the indeterminate sentence; and I know that it would be both humane and helpful to convert the penitentiary at Anamosa into a reformatory, and to establish a separate reformatory for women. . . You can not render your state better service than to give these things the best thought of your minds. . ."

14 Jan. '07, p.7

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## State prisons

- a **Cal. Pardee.** "I am more than ever persuaded, however, that not all the prison reforms we need are likely to be fully realized until our entire prison system of control shall have undergone a considerable reorganization. It is my judgment that the executive head of the prison system should be a general superintendent of prisons and reform schools, who shall be a specially trained man, and who shall be allowed to select such subordinates in his own office as he may need, and select the wardens of the state prisons by and with the consent of the Board of Prison Directors. . ."

7 Jan. '07, p.20

- b **Col. McDonald.** "Improvements are needed at both the penitentiary and reformatory. The penitentiary is in need of an insane ward and a separate cell house for the confinement of prisoners afflicted with tuberculosis. . ."

3 Jan. '07, p.9

- c **Ill. Deneen.** "The attention of the General Assembly is directed to the condition of the cell house for men at the Joliet

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Penitentiary. An investigation has been made, under the authority of the State Board of Charities, which shows that there are 900 cells, in which are confined 1200 male prisoners. It is necessary, therefore, to put two prisoners in many of the cells, which are only 7 feet long and 7 feet high and 4 feet wide, affording under such conditions but 75 cubic feet of air space per man. The amount of air space insisted upon by law in the poorest lodging houses in our large cities is 400 cubic feet per person. The minimum normal amount is 1000 cubic feet per person, with facilities for renewal three times per hour. The normal amount of carbonic acid gas (which is the measure of contamination of air) is three volumes in 10,000. While the prisoners are absent from the cells the average contamination is nine volumes. Two hours after their return the average volume of carbonic gas varies from  $14\frac{1}{10}$  to  $15\frac{1}{4}$  in different cells. Three and one half hours after their return from dinner, and with the roof ventilators closed to approach cold weather conditions, the volume of gas rises to  $21\frac{1}{10}$  volumes, seven times the normal. These conditions are most favorable to the spread of tuberculosis, and are not only a menace to the health of the inmates of the penitentiary, but also to the general health of the community. I recommend to the General Assembly the careful consideration of the report of the commission making the investigation, with a view to determining the best means of remedying the conditions described."

9 Jan. '07, p.11

- d N. M. Hagerman. ". . . Outside the completion of the new cell house [of the territorial penitentiary], other improvements are very necessary. At the present time the prisoners are fed in the corridors of the cell house, which is not conducive to proper sanitation. The kitchen is entirely too small for the requirements of the institution. The installation of an electric power plant is necessary and it would soon pay for itself. All of these improvements, it is believed, can be completed within two years, if the appropriation for maintenance be made as recommended, and I therefore urge that such recommendation be adopted by the Legislature."

21 Jan. '07, p.19-20

- e U. Cutler. ". . . In connection with the securing and perpetuating an adequate water supply for the [state] prison, I respectfully ask you to appoint immediately a special committee to examine into this matter. It is the most important question now affecting the management of the prison. A controversy has arisen with the city of Salt Lake with reference to certain water rights, and I think the time opportune for the appointment of a legislative committee to take up the matter with proper legal advice, and attempt to secure to the state its rights."

15 Jan. '07, p.19-20

343      **Reform schools and reformatories**

- a**    **Ill. Deneen.** Appropriations for improvements to the Illinois Training School for Girls and St Charles School for Boys.

9 Jan. '07, p.12-13

- b**    **Kan. Hoch.** "I recently spent two days at the State Reformatory, at Hutchinson. . . But this great institution, good as it is, is by no means as good as it should be. Much is yet to be done to make it ideal, and these efforts should be directed along three specific lines — educational, industrial, and moral or spiritual. The day school should be greatly improved. Surely there is a great need of this, for over 55% of the boys who are sent to this institution must enter the first or second reader class. Many of them can not read or write. I believe women teachers should be provided for these young men. . . These boys need the refining influence of womanhood more than the boys on the outside. And this educational process should not be confined to the recitation room. The library should be carefully overhauled, and a system of private reading inaugurated and encouraged, under the supervision particularly of the chaplain and the teachers. A wonderful reform work can be wrought in this manner. There should be a resident chaplain in the institution, with a salary of at least a thousand dollars, who should devote all his time to work among these boys, not only in the public chapel services but in countless private ways and in the hospital. . . Greater industrial facilities should be provided, as well as educational, so that when these boys go out into the world they will go out equipped for usefulness. The opportunities to learn useful trades should be multiplied in number and increased in facility. I commend this institution as worthy of your best thought and most liberal treatment."

8 Jan. '07, p.14-15

- c**    **N. M. Hagerman.** "With the growth of the territory the increasing need of a reform school, properly conducted, is felt. A considerable sum of money has been spent for the building of such a school at El Rito. . . The building, as far as constructed, is said to be excellent, but its location is almost universally conceded to be excessively unfortunate. It is far from a railroad and even if it were completed, would be difficult and expensive to operate. . . The building at Santa Fé now used for the deaf and dumb could readily be adapted to a reform school with comparatively little expense. Its location is appropriate for such a purpose and the advantages of so using it and of having the institution at Santa Fé and on the railroad are manifest. . . I therefore respectfully recommend that provisions be adopted by you for the establishing of the reform school at Santa Fé in the manner indicated. . ."

21 Jan. '07, p.22-23

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d N. C. Glenn. "Youthful criminals should not be confined with old and vicious offenders, for such association hardens their natures and lessens the chances of ever reclaiming them. . . Would it not be wise for you to appoint or have the Governor appoint a committee of wise and humane men to take the whole matter into consideration and report to the next Legislature if a reformatory is absolutely needed, and if so, to recommend the kind most suitable for such criminals, and then with all necessary information before it, there will be slight chance of there being any mistake made." 9 Jan. '07, p.34

e Tenn. Patterson. "What to do with youthful prisoners is a question which almost daily confronts our courts, and the state is poorly equipped to solve it. . . We must legislate for this class upon the theory that there should be some punishment and restraint tending to prevent further crime, but also holding out the hope of reformation, and this is not possible within the walls of the penitentiary. I recommend the building of a state reformatory, where juvenile criminals may be sent, and where they may be taught, under good and restraining influences, some useful trade or employment and be given a chance to become useful citizens. . . ." 7 Jan. '07, p.18-19

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*Institutions for women and girls*

a Col. McDonald. "The State Industrial School for Girls has had a varied and hard experience, largely due to the manner of financing the institution. . . The present law provides that the counties shall pay fifty cents per day for each inmate from the county. This is entirely inadequate for the maintenance of the school, even if collected, and sometimes it is impossible to get this amount, and always the remittances are delayed. . . The Board of Control has been compelled to contract an indebtedness for the maintenance of the school amounting to something like 10 or 12 thousand dollars. The creation of this indebtedness was absolutely necessary in order that the school could remain in operation. I earnestly recommend that this indebtedness be provided for early in the session. I also recommend that this school be placed on the same footing as a state institution as the Boys' School. I see no good reason why it should not be provided with a proper income from the state revenues for its maintenance, and if the state feels it must be reimbursed, let the counties pay the state the 50 cents per day, but this school should not be hampered in its work as it has been in the past. . . ." 3 Jan. '07, p.7

b Col. Buchtel. "The State Industrial School for Girls ought to have precisely the same fostering care by the state which is given to the State Industrial School for Boys. The fact that the state has done nothing for these poor girls is an awful indictment of our humanity. Hitherto we have just allowed that school to

keep alive, provided the counties cared to pay the amounts due under the law from month to month. . . ." 8 Jan. '07, p.30

- c **Ind. Hanly.** ". . . The lack of proper separation in our jails, the scandals that have developed in some of them on account of the confinement of women therein and the frequent unsatisfactory treatment there accorded to women, together with the lack of employment for them, lead me to recommend what seems to me a satisfactory solution of the problem of their care and confinement. That is, the utilization of the vacated parts of the girls' side of the Woman's Prison as a workhouse for women. Long term prisoners can be sentenced to the Woman's Prison, as they now are. Those sentenced for a short term may be sentenced to the Workhouse for Women. If the change is made no convicted woman should thereafter be confined in any jail or workhouse in the state. . . ." 10 Jan. '07, p.44

- d **Minn. Johnson.** "For several years there has been a movement on the part of philanthropic citizens looking for a separation of the sexes in the industrial school at Red Wing. At the present time this institution is under one management, and it has been felt for some time that the work of developing good citizenship has been retarded, and made almost impossible by the close contact of wayward and incorrigible boys and girls. . . For the purpose of making a somewhat extended study of the condition of this subject, during the past summer I visited a number of similar institutions located in the eastern states. . . The most ideal institution visited on a tour of inspection was that at Middletown, Connecticut, a school for girls exclusively. This institution is on the cottage plan; each cottage having its own kitchen, dining room, laundry, and other facilities; the girls are taught those things which would be of value to them upon leaving the school. Because of their isolation there was not that necessity for restraint which is imperative in our own school at the present time. The tendency is to educate the girl rather than to compel seclusion and punishment through a lack of liberty. I understand the percentage of reformation is higher at this institution than in any other institution of the country; and the success of this institution, through the experience there, convinces me that our policy should be along the same lines."

9 Jan. '07, p.49-50

- e **U. Cutler.** ". . . In connection with the management of the [state industrial] school, I consider the time opportune to suggest in line with the recommendations, that provision be made for the removal of the girl inmates to a building to be provided, at such a distance from those occupied by the boys as to render communication between them impossible. At present the two sexes are separated, but they occupy buildings so near each other that perfect isolation is out of the question. As to whether this separation would make an additional board of management neces-

sary, your judgment must determine. In my opinion the object could be accomplished with the present board, and without material increase of officers and employees. . ."

15 Jan. '07, p.17-18

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*Reform schools*

- a N. H. Floyd. ". . . Nearly all the inmates [of the Industrial School] are well behaved and make rapid progress in the correction of bad habits, and in learning what fits them for usefulness after their discharge. But there are a few of the larger boys who are apparently almost incorrigible, whose influence upon others is bad, and whose conduct often calls for punishment. At present they occupy the same dormitories as those who are well disposed, and it is desirable that provision be made for separating them at night, and as far as possible during the day, from those to whom their conversation and acts are a hindrance. To do this other accommodations must be had, and I see no reason why this can not be accomplished by additions to the present buildings, which need not be very expensive."

3 Jan. '07, p.11-12

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*Reformatories*

- a Ill. Deneen. "The last General Assembly appropriated \$10,000 for the purpose of establishing a manual training school at the State Reformatory. The sum was inadequate to meet the requirements of that institution. There are now 275 boys taking the manual training course. The school should be enlarged to accommodate at least 500. Two or three additional shops also should be established there. This will not require an outlay of money beyond that necessary for the purchase of materials, as the work can be done by those trained in the trade school and in the manual training department of the reformatory. . . I believe the farm at the institution should be enlarged. It now consists of 276 acres, 76 acres of which are devoted to buildings, lawns and parks, leaving 200 acres for cultivation. This is entirely insufficient to furnish employment to the number of boys who should perform agricultural labor. During the past year the institution was fortunate enough to lease 340 acres, making 540 acres of land under cultivation. . . I recommend also an appropriation for the purpose of erecting and equipping at the reformatory a gymnasium and natatorium. . ."

9 Jan. '07, p.11-12

- b Tex. Lanham. "The record made at the House of Correction and Reformatory deserves approbation, and will, upon examination, be found highly satisfactory. The convicts have been well treated and the avails of their work have steadily increased, bringing a larger contribution to the treasury than at any previous period. It would be well to make provision for some plan of industrial education for these youthful offenders."

10 Jan. '07, p.13



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- c **Wash. Mead.** "I recommend the establishment of a state reformatory, designed according to the most approved methods, for the restraint and reformation of persons, between the ages of 16 and 30 years, who have for the first time violated the criminal statutes. That the sentence pronounced be upon the indeterminate plan, with the parole system as incident thereto. . . The Reform School already provided by the state is greatly overcrowded, and I recommend that some institution be created whereby the boys can be taken from the existing institution and placed in one to be so established, thereby accomplishing another much desired result—the absolute separation of the sexes in an institution of this character." 14 Jan. '07, p.19-20

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### Local institutions

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#### *County and township*

- a **Kan. Hoch.** ". . . The law should require that all county and city jails should be constructed with a special view to light, air, and sanitation; that they should be kept clean; that the beds should be furnished with clean linen and covers that can be washed and changed frequently. The jails, particularly in populous counties and cities, should be so arranged as to permit classification of prisoners. There should be an adult department, a juvenile department, and, of course, a women's department. Prisoners serving sentence and prisoners awaiting trial should be separated. When possible prisoners should be given employment, and some system of pay for their services adopted. Work is a great reformer and remuneration a great incentive. Women as well as men should have these opportunities. At present women have no opportunity to work out their sentences. Kansas, a leader always in reform movements, should hasten to improve its local prisons." 8 Jan. '07, p.15-16
- b **N. Y. Hughes.** "Your attention is also directed to the condition of the county jails and penitentiaries. There is urgent necessity for reform in administration and the question is presented whether it is not advisable to reorganize the prison system of the state and through state control to secure uniformity of condition and discipline." 2 Jan. '07, p.27

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#### *Municipal*

- a **Ala. Comer.** ". . . The practice of hiring the board and keep of a man in chains to any one who expects to make money from the economy of it, or the saving of it, is wrong in principle and is obliged in a great many instances to bring about serious abuses. Besides being the object of cupidity in the making of money, it also excites the disposition to keep the jails full for the purpose of making more money. . . A man in jail is in the custody of the state and humanity demands that he should

have reasonable care. I suggest laws making it a part of the state's duty to feed its own prisoners, and also suggest a law to have a state inspector of the jails of the state. I think this would be in the interest of both humanity and economy."

15 Jan. '07, p.18-19

**352 Discipline. Instruction. Care of sick**

- a **Ala.** Jelks. ". . . I had hoped before my term expired to see purchased one large plantation of the very best land providing quarters for all those convicts who are not fit for very hard work, dividing it up into quarters for women and children, tuberculosis people, for a general hospital, and for quarters for men, placing it all under one great management. This must be done in time. A profitable departure for the state in the near future will be the opening of mines on the state's own account, and thus securing the operators' profits. If this is done and properly managed the income from such convicts as may be used in the work should double the present income of an equal number of men so engaged."

14 Jan. '07, p.26-28

**353 Commitment. Transportation. Transfer**

- a **Or.** Chamberlain. ". . . The law with regard to the transportation of convicts to the penitentiary should be amended so as to require convicts to be conveyed to prison by officers of the penitentiary. The cost for this service to the state under the present system for the two years ending September 30, 1906, was \$13,573.45 covering the transportation of 378 prisoners, an average cost of \$35.91 per capita, whilst the cost of conveying 314 insane patients from July 1, 1905, to July 1, 1906, was \$5668.52, an average cost of \$18.05 per capita. If the same law is made to apply to the penitentiary, a saving of at least 50% of the present cost can be saved to the state, and the prisoners handled by men trained in prison work."

16 Jan. '07, p.34

**354 Convict labor**

- a **Ark.** Little. The system of leasing convicts to private persons or corporations should be permanently abandoned at as early a date as practicable.
- b **Ark.** Little. ". . . The employment of convict labor upon road work has been the subject of much discussion. I commend this subject to your consideration, with the suggestion that provision be made for the employment of all available convicts not needed upon the state farm in this work under such provisions and limitations as will maintain the county as the unit or basis of action. . ."
- c **Cal.** Pardee. ". . . California needs to have more profitable work for its prison population to do, and as soon as it can be brought about industries should be established at both prisons

18 Jan. '07, p.9-11

18 Jan. '07, p.11-12

for the manufacture of such commodities as the state institutions require. If, then, in addition to a certain specified task to be completed on state account, the prisoners were given an opportunity to earn something for themselves, be it ever so little, they would learn to perform sustained labor before they knew it. . ."

7 Jan. '07, p.20

- d Col. McDonald. "A question of grave moment is the employment of our convicts. This question has been discussed and considered for several years, but no conclusion has been reached of a permanent nature. The law enacted at the last session, known as the "Lewis Road Law," has been of some effect, but it is not as far-reaching as it should be. I wish it clearly understood, however, that I am not in favor of the employment of convicts in lines of industry which will to any great extent come in competition with the honest man who is honestly endeavoring to make a livelihood for himself and family, so that whatever line of occupation is recommended must necessarily be limited to a very few things.

Road building is most commendable. I believe in making appropriations from the internal improvement funds for permanent improvements, such as road building. Convicts could be used very advantageously, appropriating the money for the maintenance of the prisoners while engaged on the road, for the necessary guards, etc. In this way a great deal more road could be built for the same money, and undoubtedly better roadways would be the result. Of course, only certain classes of the prisoners could be utilized in work of this kind. There is always a large number that it is necessary to confine within the walls of the institution. I believe, with a small outlay, machinery could be installed which would admit of the manufacture of articles that could be sold to the other state institutions. Clothing and garments could be manufactured at a nominal cost for the use of the Insane Asylum and Boys' School, which could be purchased at a smaller cost than is now being paid for goods of perhaps inferior quality, and at the same time leave a small margin of profit for the penal institution, which would eventually result in lower taxation upon the people for the maintenance of such institutions.

If such a suggestion meets with the approval of the Legislature, the law should be carefully framed, so as not to admit of the possibility of such goods being placed on the open market.

I am unalterably opposed to the contract system."

3 Jan. '07, p.9-10

- e Col. Buchtel. "The need of work for prisoners in the penitentiary and in the reformatory and in all city and county jails is imperative. Nothing could be more cruel than our present plan of shutting up a prisoner where he can do no work. We can find plenty of kinds of work which prisoners can do without interfering with free labor. A prisoner should have the chance

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to earn his own keep in the forenoon, and he should have a chance to earn a little honest money by his work in the afternoon. If he has any one outside dependent upon him, his work for them will regenerate him. You can not make so much as a beginning toward the salvation of a defective or a dependent man except through work which he performs with his own hands." 8 Jan. '07, p.30

- f **Fla. Broward.** ". . . I would especially call your attention to that portion of his [Commissioner of Agriculture's] discussion of this matter which treats of the leasing of the aged, the decrepit and the young [convicts], and the separation of the sexes, and recommend such legislation by your body as will enable the Board of Commissioners of State Institutions to properly regulate this matter." 2 Apr. '07, p.38-39

- g **Id. Gooding.** ". . . I feel that the best interests both of the state and of those who are confined in the penitentiary demand that you should provide some means of steady employment for the convict population of the state. I feel that the state can properly make some provision by which these people shall be given an opportunity to work at some useful occupation, and in this way in some measure take the burden of their own support from the shoulders of the taxpayers. The Capitol Building Commission has acquired title to valuable stone lands, which can be made to furnish excellent rock for building purposes. I would suggest that your body so amend the present statutes that materials from this quarry can be produced by convict labor and sold in the open market. The steady employment of these men, it must be admitted by all, would be conducive to the improvement of both their minds and bodies, and would have a tendency toward making them better citizens. . . ." 8 Jan. '07, p.19

- h **Ind. Hanly.** ". . . The labor contracts at the State Prison will expire in 1910. If they are to be discontinued it is of the utmost importance that provision be made prior to that time for the employment of the inmates. I believe this can best be done by finding employment for them on state account. With this purpose in view the Board of Control of the Prison, with executive approval, purchased and installed a plant for the manufacture of binder twine, at a cost of \$32,174.40. . . An excellent quality of twine is being manufactured. It can be placed upon the market at a less price than the trust product. I am convinced if the plant is properly developed and carefully managed that it will result in the regular employment of perhaps 100 of the inmates, in a profit to the state, and in a saving to the farmers of the state in the cost of twine used by them. . . ." 10 Jan. '07, p.43-44

- i **Mich. Warner.** ". . . Assuming, then, that prisoners must be employed and employed within prison inclosures, we are

compelled to choose between the three systems by which this labor can be used; namely, the contract system by which the state receives a certain stated price per day for each convict; the piece price plan, where the amount paid is based upon the number of articles made, and the state account system, by which the labor is used by the state and the product sold by the state in the open market. Michigan's experience with the latter system has not been satisfactory, as a whole, although the instance where the greatest loss occurred was in a period of great business depression when private enterprises as well were not holding their own. I have secured, from different states, information relating to this whole subject which will be submitted to you later, with the belief that it will aid you in determining the best course to pursue in dealing with the bills which will be introduced. Manufacturing binder twine on state account has been a success so far as it has been established. Your attention is called to a recent report of the United States Labor Bureau upon this prison industry. . . . We have no factory of the kind in our state and hundreds would receive a direct benefit to one who could possibly claim to be harmed. I recommend that provision be made for the establishment of a binder twine plant at Jackson prison. . . ."

3 Jan. '07, p.15-16

- j **Mich. Warner.** ". . . It should be borne in mind that the prison labor problem in this state is one which calls for immediate and intelligent solution. The recent decision of our Supreme Court makes it imperative for this Legislature to make some provision for the legal employment of the inmates of our prisons. The binder twine industry presents an opportunity to employ a number of these men with profit to the state and its citizens and without interference with any class of Michigan free labor. It was not to be expected that a proposition to instal in the state prison at Jackson a binder twine plant that will materially assist in the solution of the prison labor problem and at the same time be of vast financial benefit to a large class of Michigan producers would not meet with persistent and vigorous opposition from the binder twine trust."

7 Feb. '07, H.J. p. 184-88

- k **Minn. Johnson.** "During the past two years the state prison twine plant has been materially enlarged; the output amounting during this period to 24½ million pounds. . . . In my message to the Legislature two years ago, I recommended that practically all of the labor of the prison should be devoted to this industry. I renew the suggestion that the plant should be still enlarged so as to increase the capacity at least 5,000,000 pounds annually. . . . There seems to be a feeling upon the part of our citizens in favor of making farm machinery at the state prison to compete with the trust; that is, the manufacture of such machinery as is now not made in the state. I believe a departure could be made along this line which would prove of great advantage to

the agricultural interests, and I would suggest that the management at least be authorized to investigate the feasibility with power to act. . . . The state now is a party to a contract under the terms of which a large portion of the prison population is engaged in the manufacture of certain products which brings the labor of the state prison into active competition with the free labor of the state. I do not urge the abrogation of existing contracts, but I most earnestly recommend that provision as largely as possible be made by which all of the labor which now comes in competition with the state be directed into other and noncompeting channels. . . ."

9 Jan. '07, p.52-53

- n **Mon. Toole.** ". . . May not the Board of Prison Commissioners, without violating the Constitution, work these prisoners in some noncompetitive occupation and unassociated with free labor, not only that they may help to pay the expense which the state has incurred in their prosecution, custody and maintenance, but that they may have that physical exercise necessary for health? If so, the necessary provision should be made therefor."

8 Jan. '07, p.20-21

- p **N.C. Glenn.** ". . . I do not believe that persons under sentences of over four years should go to the county chain gang; for the county authorities, even when they do the best they can, can not take the care of convicts that the state does; and so from exposure and hardships many of the long term convicts die. I recommend that you fix a limit, requiring all persons sentenced for four years to be assigned to the State's Prison."

9 Jan. '07, p.37

- q **Or. Chamberlain.** ". . . The present employment of convicts is healthful, the plant is installed and belongs to the state; it is the least dangerous to free labor of any of the prison employments where the manufacture of any commodity is engaged in, and the Legislature ought to undertake the work of dismantling the prison stove foundry plant with great caution. My own judgment is, having due regard to the taxpayers of this state as well as to the demands of free labor and the manufacturer, that whether provision is made for convicts on the roads or in some other manner, legislation to this end ought to be conservative rather than radical and ought to provide for increasing the employment of convicts in such new field as may be adopted for them without abandoning the present system at once, leaving large discretion to the executive. The purchase of rock quarries at one or more convenient places and the crushing of rock for public roads might be tried successfully and gradually extended, but in order to accomplish this an appropriation of sufficient amount to house and care for the convicts must be made. I submit this matter to your very careful consideration, and assure you that I have not found it one easy of solution."

16 Jan. '07, p.34-38

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r Vt. Bell. ". . . The crowded condition at Rutland [House of Correction] should be relieved. I suggest an amendment to the present law so that short term sentences and fines for intoxication may be served out in the county where the conviction occurs, and that such prisoners be made to work out their sentences, on the roads and streets in summer and in chopping or sawing wood in winter. This is healthy, honorable work and would afford some return for their expensive burden to the community."

4 Oct. '06, p.9-10

s Wash. Mead. "I recommend . . . the installation of additional machinery in the factory operated by convict labor at the state penitentiary for the manufacture of jute fabrics, so that the increased product may tend to regulate its price to Washington farmers."

14 Jan. '07, p.30

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### County and municipal convicts

a Ala. Comer. ". . . The methods of hiring and working and treatment of county convicts have been criticized. I would suggest your investigation, and remedial legislation." 15 Jan. '07, p.18

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### Roads

a Wash. Mead. "Owing to the inadequacy of existing laws a large number of the convicts in the State Penitentiary are unemployed. This condition is costly to the state and inhuman to the prisoners, utterly at variance with the dictates of common sense and sound business methods in the management of a penal institution. The act approved March 16, 1903, permitting convicts to be employed in preparing material for road construction, should be enlarged so as to permit the use of convict labor in improving and constructing highways in the more sparsely settled sections which otherwise would require state aid. Work of this character, in the open air and sunshine away from prison walls, will have a direct return to the public in the value of the roads constructed, but society at large will reap a richer reward indirectly through the reformatory influences on the prisoners. The same policy should be followed in the counties and the duty enjoined upon county authorities to provide labor on the county highways for the able-bodied men serving sentences in county jails for misdemeanors."

14 Jan. '07, p.20-21

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### Disposition of goods

a Ill. Deneen. ". . . The Board of Prison Industries desires to enlarge the scope of the law to enable it to furnish school districts with furniture and to supply certain of the needs of municipalities. I recommend a consideration of their requests."

9 Jan. '07, p.13-14

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- b **Minn. Johnson.** ". . . The National Cordage Company, a subsidiary corporation of the International Harvester Company, has commenced making twine from flax fiber in this state for the evident purpose of competing with the state product. To meet this situation and to protect the state interests, the law should most certainly be amended to permit the sale of the prison made twine outside of the state in order that we may meet any effort made by the twine trust to throttle our plant inside of the state lines. I would also suggest that the law be changed so as to allow the sale of twine to dealers after March 1, reserving 500,000 pounds to fill small cash orders direct to farmers. With the large increase in the output, it will be necessary to dispose of a large amount of the product through the dealers of the state, as a prudent business man will not wait longer than February or March to secure his twine. He should be allowed to place his orders early enough to meet his requirements and that of his trade. The law now in force restricting the dealer to sell twine at 1 cent profit per pound is ample protection to the farmer, and fair and equitable to all concerned. . . ."

9 Jan. '07, p.52-53

- c **Wash. Mead.** "The policy and laws of the state debar the manufacture by prison labor of products that might come into competition with the free labor of the state. A provision of our law exists forbidding the shipment to other states, of goods manufactured by convict labor. Prison made goods from other states, however, are shipped freely into this state and are sold in competition with the product of our free labor. This condition is manifestly unfair. I am advised that federal legislation on the subject is pending in Congress to correct this injustice. A memorial upon the subject requesting restrictive legislation would be timely and might effect good results."

14 Jan. '07, p.21-22

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### Criminal insane

- a **Me. Cobb.** "In October of last year there were in confinement at the State Prison at Thomaston 25 patients of the class known as the criminal insane. Of that number 15 were serving unexpired terms of sentence, and ten were held by order of the court after their sentence had expired. The prison is no place for these unfortunates. Their quarters and opportunities for exercise there are necessarily very limited and inadequate, proper facilities for their comfort are altogether lacking, and it is impossible for the prison officials to give the specific care that the individual cases require. They should be under the immediate observation and supervision of physicians and attendants skilled in the treatment of the insane. . . . It is obvious that no provision should be made for the criminal insane in our present asylums, for their presence there would be a distinct menace to



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the welfare of the other inmates. They should have separate accommodations and the best of care consistent with public safety. The Arsenal grounds at Augusta seem to offer the best solution of this problem, and if a suitable building were erected there not only would the cost of administration, maintenance and attendance be reduced to a minimum figure, but we would all feel that even the claims of these mental derelicts were no longer ignored by a humane and watchful state." 3 Jan. '07, p.10

- b Wash. Mead. "All doubts should be set at rest by a proper amendment of the law defining the judgment to be entered where a person charged with a grave offense is acquitted under the plea of insanity. In such cases the person charged should be committed to an insane department of the state penitentiary, and should remain there during his natural life, or until such time as a competent tribunal or board of alienists, with the approval of the Executive, shall direct his discharge." 14 Jan. '07, p.25

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### System of sentencing and reform

*Capital punishment, see 229*

367

#### *Discharge*

- a Col. McDonald. "I am also in favor, when prisoners are paroled from the State Penitentiary, of giving each one a suit of clothes and \$5. . ." 3 Jan. '07, p.11

370

#### *Indeterminate sentence*

- a Cal. Pardee. "There are two good ways of lessening the congestion consequent upon having too many prisoners and too few cells to put them in, aside from constructing additional prison quarters for them. One of these is the extension of the parole system, and the other is to enact a prudent indeterminate sentence law. Both of these will require additional legislation to put them into operation. . . . To make the parole system effective there must be a parole officer connected in some intimate way with each prison. He must know the prisoners, not only as prisoners but as men, and must make himself familiar with their pre-prison history. Then he must follow, helpfully, those who need help while out on parole. . . . There must be a degree of punishment that will prove a deterrent factor in the conduct of the criminally disposed. This attained by a minimum sentence, the best thought of prison discipline should be to return the prisoner to society as soon as may be with due regard to social safety. This the indeterminate sentence permits to be done by allowing the prisoner to work out his own liberation by good conduct and remedial effort. . . . I think it time to inaugurate the indeterminate sentence system in California. . . ." 7 Jan. '07, p.18-19

371

*Juvenile offenders*

*See also 346, Reform schools; 2172, Children*

- a **Ala.** Comer. ". . . I strongly recommend sufficient appropriation to secure dormitories and facilities for the keep of all the youthful criminals, and it will in the end, if there be anything in the axioms of life, be much more economic and upbuilding to the state, speaking on surface grounds alone, than to let them go on with the associations of adult and hardened convicts of the state." 15 Jan. '07, p.19-20
- b **Fla.** Broward. ". . . The needs of the State Reform School, located at Marianna, should receive your careful consideration, with the end in view that this institution be made really a reform school and not a juvenile prison; and that such labor and work as is imposed upon its inmates be imposed with a view to their industrial training and equipment, rather than a means of revenue, and in this connection the advisability of the creation of juvenile courts to deal, especially in the larger cities, with juvenile offenders should be considered. Much interest in this matter is aroused throughout the state, and whatever aid is practicable should be given to the movement." 2 Apr. '07, p.39-40
- c **Id.** Gooding. ". . . Another law passed by the last session of the Legislature provided for the care of delinquent children. Not so much has been accomplished by this law as had been hoped for. While it is an excellent measure, I feel that to put it into effective operation there must be provided in some way a paid probation officer. Every large city in Idaho should have such an officer, whose duty it should be to give all his time to the care of delinquent children. . ." 8 Jan, '07, p.7-8
- d **Mo.** Folk. ". . . I recommend the enactment of a Juvenile Court law in accordance with the experience of this and other states, with a special judge to look after the juvenile offenders. The majority of these children can be kept from becoming criminals under a wise administration of a juvenile law." 2 Jan. '07, p.19

371(3

JUVENILE COURTS. JUVENILE PROBATION

*See also 374, Probation*

- a **Cal.** Pardee. ". . . Neither of the schools [juvenile reformatories] above mentioned is maintaining parole officers. I regard this as an error, and strongly recommend that the Legislature not only require the maintenance of such officers, but provide therefor in a financial way. . ." 7 Jan. '07, p.24-25
- b **U.** Cutler. Recommending changes in the Juvenile Court law and transmitting recommendations of the Salt Lake City Juvenile Court Commission. 22 Jan. '07
- c **Wy.** Brooks. ". . . Four recommendations for pardon have been made in cases of juvenile delinquents serving sentences in the Colorado State Industrial School at Golden, Colorado. In

## CORRECTIONS

this connection, attention is called to the fact that there is no other means of discharging from said school the Wyoming pupils than that of pardon by the Governor. In the case of Colorado pupils in said school, they can earn a parole by good behavior, and can be granted a release from the school under such parole by the superintendent without action of the Governor. It is believed that an amendment to our laws, whereby pupils committed to the Colorado school from this state may be paroled in the same manner as the Colorado pupils would be advisable. Juvenile delinquents sent to this school are not criminals, and it is not believed to be the intent of the law or the courts that their punishment should be any greater than is necessary to correct their habits of life and educate them in such manner that they may become industrious and useful citizens. When their education has reached this point they should be given an opportunity to profit by such education and become self-supporting."

10 Jan. '07, p.28-29

372

### *Parole*

- a **Col. McDonald.** ". . . A great deal more could be accomplished by the enactment of a law providing for the appointment of a parole officer, whose duty it should be to keep track of the paroled prisoners, help them secure employment and assist them in every way possible to keep the provisions of their parole. This official should be appointed by the wardens of our two institutions and the Board of Penitentiary Commissioners, and should be under their absolute control and direction. I am heartily in favor of the enactment of such a law and sincerely hope it will be passed by this Legislature. . . ." 3 Jan. '07, p.10-11
- b **Col. Buchtel.** "The need of parole officers to help discharged prisoners to find their way back into honorable occupations is imperative. . . ." 8 Jan. '07, p.30
- c **Kan. Hoch.** ". . . I recommend that the trial judges have the power to issue parole immediately after sentence has been imposed, in cases in which they think it wise to do so. Every trial judge of much experience on the bench has been compelled by the demands of the law to send men to the penitentiary when the ends of justice and the two primary purposes of penalty alluded to above would have been better subserved by the suspension of prison sentence herein recommended. . . . Let him be subject to all the present conditions of the parole law, compelled to report to the present parole officer, and be subject to incarceration whenever he violates his parole, but give deserving and hopeful offenders another chance." 8 Jan. '07, p.12-13
- d **Mo. Folk.** ". . . I believe the parole law should be further extended by removing the age limit for persons convicted of felony and have it applied to first offenders in the discretion of the court. . . ." 2 Jan. '07, p.19-20

372

- e Mon. Toole.** ". . . An enlightened public sentiment has evolved a parole system by which these first offenders may be released upon certain conditions, and the system has never been abandoned when adopted. Such a philanthropy makes no compromise with crime—has no sympathy with the morbid sentiment which is offended at the just punishment of a felon, but seeks to make that punishment a means of good, while the offender is yet young enough in strength and character to earn a place among his countrymen as a self-supporting member of the community. . . For such the parole system is helpful. I commend the whole subject to your wise and discriminating judgment." 8 Jan. '07, p.21-22
- f Wy. Brooks.** "Our laws should . . . permit the paroling of prisoners at the penitentiary." 10 Jan. '07, p.29

373

*Pardons*

- a Del. Lea.** "I recommend that you enact such measures which shall provide for recording in the office of the Secretary of State of all remissions of fines and forfeitures, reprieves, commutations of sentences and pardons and that such record or a duly certified copy thereof shall be admitted as evidence in the courts of this state." 1 Jan. '07, p.15
- b Ind. Hanly.** Recommends abolishment of Board of Pardons as being powerless under the Constitution and appointment of pardon clerk instead. 10 Jan. '07, p.32-35

374

*Probation*

*See also 371, Juvenile offenders*

- a N. Y. Hughes.** "The value of the probation system is well recognized, but the system requires perfecting. There is need of careful and sympathetic study of the matter, for the advantages which it promises cannot be had unless a practical statutory scheme is worked out and is carefully administered." 2 Jan. '07, p.27

375

**CIVIL LAW**

Civil Code and Code of Civil Procedure

377

**Property**

379

**Real property**

381

**Tenure. Titles**

*See also 748, Special actions; 1274, Prescriptive rights (railroads); 2739, Prescriptive rights (roads)*

382

**Eminent domain. Condemnation proceedings**

*See also 1361, Street railways*

- a N. Y. Hughes.** "The delays and expense incident to condemnation proceedings have been the occasion of much just criti-

## LIENS AND MORTGAGES

cism. It should be possible to devise a plan by which the appraisal of the value of land taken for public uses can be made by a permanent body with fixed compensation. This would be in the interest of economy and dispatch, and would tend to put an end to abuses which have too frequently existed in the past."

2 Jan. '07, p.28

383

### Escheat

- a Or. Chamberlain. "One of the disputable presumptions under our statute is, that a person not heard from in seven years is dead. Most of the banks in this state have been doing business for a much longer period than seven years, and it is safe to say that there are many thousands of dollars held on deposit in open accounts or on certificates of deposit against which no checks have been drawn, or where the certificate holder has not been heard from for periods far in excess of seven years. Moneys so situated should be escheated to the state but the difficulty lies in procuring the information necessary to institute proceedings for this purpose. To overcome this difficulty the statute hereinafter referred to should be amended so as to compel all banking institutions to furnish to the Executive or to the State Treasurer, annually, reports under oath showing all accounts which have been dormant for a period of seven years or more. . ."

16 Jan. '07, p.27-28

392

### Conveyance

See also 405, Mortgages; 835, Tax on deeds

398

### Torrens system

- a Wis. Davidson. "Our present system of transferring land titles has become exceedingly complex. . . It is significant that many leading American states have adopted the 'Torrens system' as a simplification of title transfers, while such a system has been in vogue in European countries for many years. Massachusetts, Illinois, California, Oregon, Washington, Montana and Minnesota have revised their systems to secure greater simplicity and safety in transfers. . ."

10 Jan. '07, p.51-52

405

## Liens and mortgages

406

### Foreclosure. Redemption

- a N. D. Sarles. "I believe that portion of the present law permitting foreclosure of mortgages on real estate by publication should in addition to the publication require notice upon some party interested as owner, guardian, trustee, or other person in interest when possible, to avoid the possibility of holders of mortgages obtaining title secretly, as is possible at present in some remote districts, by advertising in papers with small circulation."

9 Jan. '07, p.12

453

## Contracts and other obligations

*See also 835, Tax on deeds and contracts*

461

### Money. Interest. Usury

- a U. Cutler. "Although the legal rate of interest in Utah is 8% per annum, when not stated in an obligation, there is no means of preventing a creditor from charging any rate he may be able to exact. As a result, much hardship and suffering has been entailed upon individuals who by misfortune or lack of thrift have been forced to the necessity of making chattel or salary loans. I am strongly of opinion that a law should be enacted fixing 8% per annum as the legal rate of interest, allowing as at present the lending of money at a lower rate than this, but prohibiting the charging of a higher rate. In order that it may be effective, I recommend that this act be made unmistakable in its provisions, defining usury and the penalty for it, and making the penalty severe enough to prevent the exactions which have been practised through the urgent needs of the poor."

15 Jan. '07, p.43-44

- b S. D. Elrod. "Interest rates should be lowered. It is a bad advertisement and our laws ought not to permit a contract to be made making it lawful to charge 12% interest. Bankers ought to lead in reducing the rate of interest."

8 Jan. '07, p.41

464

### Negotiable instruments

*See also 1596, Legal holidays*

- a W. Va. Dawson. Uniform negotiable instruments law.

8 Jan. '07, p.83

468

## Torts

*See also index under Damages to property*

471

### Personal injury

*See also 1315, Railroads; 2125, Employers liability*

- a Ala. Comer. "I recommend the enactment of a law which will give the citizens of this state the same or equal protection in claims for damages on account of injury or death that citizens of this state now have by law in claims for damages on account of injury to cattle and things."

15 Jan. '07, p.12

- b Mich. Warner. "I have heretofore made public announcement of the conviction that the results of the practical operation of the so called limited liability and change of venue laws, enacted by the last Legislature, have been such as to greatly disappoint many who favored their enactment. Both of these laws were enacted in good faith, but I am convinced that they should be either radically amended so as to remove all just objections, or repealed."

3 Jan. '07, p.8

Libel Slander

- a Fla. Broward. ". . . We have some newspapers that do intentionally print misinformation about public affairs, . . . and that do wilfully slander, by publishing false statements about candidates for office . . . and which papers also publish false statements about public officials, with a view to destroying the confidence of the public in them . . . and there are so called news bureaus, organized for the purpose of printing and sending out false literature against the public good. . . I recommend that it be made a misdemeanor for any person or persons to circulate, through a news bureau, or newspaper, any literature bearing false information to the public, upon any public question, and to make it a misdemeanor for any person to maliciously print any misstatement or falsehood about any candidate, or about any public official, which tends to destroy the confidence of the people in the candidate or officer; and that the publication or distribution, or either, be made prima facie evidence of the intention of the person or persons so publishing or distributing the same. . . We take every precaution to preserve free from misinformation, or any influence which will prevent a true and just verdict, the juries in our courts. Shall we not also take care that that great jury, the people, to whose verdict—public opinion—all must bow, shall not be misinformed and deceived by designing interests. . . And I further recommend that a statute be enacted making public mendacity a misdemeanor and punishing any newspaper writer or editor or publisher who deliberately and intentionally writes or publishes an article that is untrue, and making the public printing of an untruth prima facie evidence of the misdemeanor." 2 Apr. '07, p.64-70

- b U. Cutler. "While I am strongly in favor of safeguarding the freedom of speech and of the press, yet there is one respect in which I think the present law of libel should be amended. I refer to the common custom of the newspapers and of public speakers, especially in the heat of political campaigns and at other times of general excitement, of misquoting the remarks of opponents, attacking the character of honorable people, giving misleading reports of public meetings, and so on. I will also include the custom of certain disreputable journals of causing to be published spurious letters or utterances attributed to individuals, and using these as a basis of attack and misrepresentation, intended especially for foreign consumption. I am safe in saying that any community in which this work goes on is irreparably injured thereby in reputation and finances. I would recommend such amendments to the present law as will reach these cases with severe penalties, while encouraging a bold and fearless stand on the part of public prints that are bent on supporting the right, and punishing crime, whether public or

private. Unfortunately, the publishers of many of these disreputable prints are financially irresponsible; and on this account I suggest that the law of criminal libel be given broader scope and made capable of freer interpretation, in order to reach cases worthy of punishment, but out of reach of the civil act on account of the impecuniosity of the people involved. Any enactment on this subject must be carefully drawn, in order that it may stand the most rigid tests in the courts. But I would favor your going as far as the Constitution of the state and the statutes of the United States will permit, in providing punishment for this abuse of the power of the press." 15 Jan. '07, p.42-43

474

## Family

476

## Marriage

*See also 264, Crimes against public morals and the family*

477

## Parties. Age

- a U. Cutler. "Pending the adoption of uniform laws on marriage, I urge the amendment of the present law so as to prohibit the marriage of first cousins. . ." 15 Jan. '07, p.22

478

## License

- a R. I. Higgins. ". . . Stricter regulations should be adopted concerning the identification of persons applying for marriage licenses. In many states such applicants must be personally known to the officer issuing the license. I believe that such provision should be made in this state, or a provision requiring that the marriage certificate should certify that the parties are personally known to the person marrying them." 3 Jan. '07, p.18

480

## Divorce

- a Ct. Woodruff. "I recommend such legislation in this state as will authorize the courts to grant judicial separation, either permanent or for a limited period, in place of absolute divorce where such relief seems more appropriate to the case. . . . Another important recommendation is that a divorce judgment should not become absolute until one year after the first decision, either party having the right meanwhile to apply to have such judgment set aside. . . . Legislation providing in what cases divorces obtained in other states without personal service will be recognized in this state should also be adopted. It appears that a divorce decree may be valid in one state and not in another, so that a man may be lawfully married in one jurisdiction and not in a neighboring state." 9 Jan. '07, p.15-16



## FAMILY

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- b **Del. Lea.** ". . . I recommend that the proposed law [uniform divorce] or so much thereof as may be practicable under our judicial system, be enacted into law in this state. . ."
 

1 Jan. '07, p.19-21
- c **Mass. Guild.** ". . . I suggest an examination of the laws restricting divorce by collusion, adopted by other states. I suggest to you the propriety of giving the power and means of at least investigating all uncontested divorce cases to some public official in each county. . ."
 

3 Jan. '07, p.30-31
- d **Minn. Johnson.** ". . . The ease with which some states permit annulment of marriages and divorces has come to be an American scandal, and it is earnestly hoped that there will be a complete cooperation by all of the several states of the Union on this important question. At the congress named, Minnesota was represented by a duly accredited representative, who assisted in the preparation of a proposed uniform statute covering this question. Copies of this proposed statute will be submitted to this body, and your earnest consideration of the matter is desired. I trust that Minnesota will be among the first states of the Union to put herself right on this important question."
 

9 Jan. '07, p.46
- e **N. J. Stokes.** "One of the most formidable perils which menace the social order of our country today is the prevalence of easy divorce. . ."
 

8 Jan. '07, p.21
- f **N. M. Hagerman.** ". . . There can be no doubt as to the great desirability of uniform laws throughout the United States in regard to this [divorce] and some other important subjects, nor is there any doubt the proposed law is better than that now on the statute books of this territory. I strongly recommend that both the laws proposed by the National Congress on Divorce be given serious consideration by the Legislature, and that they be passed as nearly as possible in the form recommended as may be found consistent with the special needs of this territory."
 

21 Jan. '07, p.41-42
- g **N. D. Sarles.** "Through a national association it has been recommended that the various states adopt uniform laws governing marriage and divorce. This recommendation is worthy of your serious consideration."
 

9 Jan. '07, p.10
- h **Pa. Pennypacker.** ". . . The Pennsylvania Commission have prepared (1) a codification of the existing laws of the state upon the subject of divorce, (2) a new code embodying the provisions of the statute adopted by the congress, and (3) details relating to procedure, alimony and other matters peculiar to our jurisdiction which they recommend as a substitute for the existing laws and which they believe would correct many inconsistencies and incongruities. These recommendations are submitted for your careful consideration."
 

1 Jan. '07, p.9-10
- i **S. D. Elrod.** ". . . All will admit that divorces are too easily obtained in South Dakota and the fact is before you."
 

8 Jan. '07, p.42

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- j U. S. Roosevelt. "I am well aware of how difficult it is to pass a constitutional amendment. Nevertheless in my judgment the whole question of marriage and divorce should be relegated to the authority of the National Congress. At present the wide differences in the laws of the different states on this subject result in scandals and abuses; and surely there is nothing so vitally essential to the welfare of the nation, nothing around which the nation should so bend itself to throw every safeguard, as the home life of the average citizen. . . ." 3 Dec. '06, p.29

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### Support of family

*See also* 2151, Support of pauper; 2203, Support (insane)

- a Ia. Cummins. "I repeat my recommendation of a year ago, with increased emphasis, if that be possible, in favor of a law that will make it a crime for a man to desert his family without cause, and to refuse to support, without good reason, his wife and children. . . ." 14 Jan. '07, p.14

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### Corporations

*See also* 841, Corporation taxes; 1200, Transportation; 1679, Banking; 1732, Insurance; 2627, Municipal utilities

- a Ia. Cummins. ". . . It seems to me that one of the imperative demands of the time is to require the articles of incorporation of every corporation hereafter organized to be approved by some tribunal, such as the Executive Council, with the Attorney General added, before they are permitted to be filed. Even this measure of supervision would prevent the establishment of a large number of associations either unlawful and fraudulent in their purpose or imperfect in their plan of organization. . . ." 14 Jan. '07, p.18-19
- b N. C. Glenn. ". . . Many corporations . . . are now buying up vast boundaries of land, and unless some check is placed upon the amount they may hold, our people will soon become tenants on their former lands. I recommend the reenactment of the old law, even making it stronger, forbidding any corporation, except those exempted, from either directly or indirectly buying and holding at any one time more than three hundred acres; and as to the exempted corporations in section 666 and its amendments, they should hold their lands only for the specific purpose for which they were created, and not for the purpose of dealing in realty. Let, also, penalties and forfeitures be attached to any corporation violating this law." 9 Jan. '07, p.17-18
- c U. Cutler. "Under the present laws, not a large enough discretion is left with the Secretary of State to refuse to accept and file articles of incorporation and issue a permit for a concern to do business in the state, if it pays the filing fee. The Attorney

General recommends that a greater discretion be given the secretary, to refuse or delay filing the articles and the issuing of permits, pending investigation as to the character of a corporation which he has reason to believe is unsound or of otherwise questionable character. I approve this suggestion, provided the action of the secretary is subject to appeal to such body as you may designate as the proper one to exercise final power in the premises." 15 Jan. '07, p.26

- d **Vt. Proctor.** "Corporations are the largest subject of special legislation. . . Such legislation arises somewhat from the tendency to seek special privileges but it is due more to the fact that our general laws with respect to the organization of corporations, both public and private, are not sufficient and complete. . . Corporations as a means of doing business have existed for centuries. They are necessities. The right to form them under proper restrictions should be equally free to all, but they should be equally subject to uniform provisions. . . I recommend such a revision of our general corporation laws as will bring them up to date. Their terms and conditions should be liberal but just and reasonable. It is right and proper that the state should receive, as it does, a reasonable fee for charters, but no laxity in the corporation laws should be permitted, as is done in some states, for the sake solely of revenue. When our corporation laws have been thus amended applicants for charters, except in extraordinary cases, should be left to the use of its provisions and the time now occupied by Legislatures in the consideration of private corporation measures can and should be given to public business." 4 Oct. '06, p.15-16

### *Supervision. Reports*

- a **Mo. Folk.** ". . . Every corporation should be required to furnish each stockholder with a balance sheet of its business once a year, and should file this, together with the name and address of each stockholder with some state officer, to the end that publicity may be given to its affairs. The domestic corporations of this state are capitalized, in round numbers, at \$879,000,000 with \$805,000,000 paid up. Outside of the first payment of incorporation fees of \$50 for the \$50,000 of capital stock, and \$25 for each \$50,000 thereafter, they pay nothing at all to the state for the privileges given them. There should be an annual tax in the nature of a privilege tax of say 1/15 of 1% on the capital stock of all corporations, both domestic and foreign, doing business in this state. The charter rights given are valuable, and this annual tax would be only a fair return to the people. On the other hand, it is not heavy enough to put a burden upon any corporation that is actually doing business. The number of corporations, domestic and foreign, doing business in this state, has been given. These have reported to the Secretary of State. How many there are doing business here that have never reported to the Secretary of

State there is no way to ascertain. There should be a department of corporations, so that every application for a charter can be rigidly inquired into, and to see to it that the use of the charter granted is not abused. These interests are certainly large and important enough to be under the care of a special department. This department should collect the tax spoken of, as the insurance department now collects the annual tax on insurance companies. This department should be authorized to inquire into the actual cost of corporate property in the case of public service corporations, to examine books and fix the rates to be charged the public upon the basis of a reasonable return on the value of the property. Speculation in products and doing business other than authorized by law, should be checked by this department. With the immense growth of public service corporations it has become necessary for the state to exercise the right to regulate their charges in order to prevent extortion from the public. The legality of regulating the rates of such corporations is clear. A corporation controlling public utilities is not permitted by common law to charge unreasonable rates. To determine the unreasonableness of rates the department or a commission should have power to inquire into and determine the actual amount invested in such corporations, and to fix the rates, such as concern the charges to the public, on a reasonable basis, allowing, of course, a fair return for capital, labor, skill and genius. The result of this should be to eliminate fictitious values." 2 Jan. '07, p.22-24

- b **Tex. Campbell.** ". . . To insure 'greater publicity and a greater measure of protection to creditors and stockholders' and to aid in the enforcement of existing antitrust laws, I suggest briefly for your consideration:

1 A comprehensive law giving the Attorney General, or his authorized assistant or duly accredited agent or representative, for the purpose of investigation, full and free access to all the works, plants, offices, books, vouchers and papers of any corporation doing business in Texas, whether under charter granted by the state or by permit, and without reference to whether such works, plants, offices, books, vouchers and papers are situated within this state or out of it.

2 A law authorizing the Attorney General to issue his subpoena, directed to any officer of this state authorized to execute similar process, or to any agent appointed by him in any other state, commanding such officer, if in Texas, or such agent, if out of the state, to summon any president, director, other officer or agent of any corporation doing business in Texas, either under a charter or permit, to appear in person before the Attorney General or before any judge of a court of record in Texas, and make true answers to all questions propounded to him pertaining to the subject-matter then under consideration and to produce all books, vouchers, contracts and papers that may be called for

## CORPORATIONS

by any subpoena issued by the Attorney General. As an appropriate and effective remedy for failure to obey such subpoena I would suggest as a penalty a provision for the forfeiture of the corporation's charter or permit to do business in Texas, and for a lien upon all the assets of the concern in this state to secure the payment of whatever penalties may be recovered for violation of this or any other laws of the state.

3 A law to prevent the abatement of suits for forfeiture of charter or permit and for penalties by a simple dissolution of the corporation.

4 A law with adequate penalties requiring the managing officers of all corporations in arrears for more than 60 days on its pay rolls, or having indebtedness to employees or to creditors having priority or a statutory lien, to make full report of same, under oath, to the Attorney General, and also to the trustees or mortgagees named in any deed of trust or mortgage that may be subsisting against the property and franchises of the corporation."

16 Jan. '07, p.11-12

### 509 Capital. Shares. Debts. Property

a Ari. Kibbey. ". . . At an expense of a few dollars, a corporation can be created and organized under our laws, at any 'capitalization' that the promoters may choose, and the provisions as to paid-in capital are so loose that it is not really necessary that the actual capital shall ever be any thing but nominal. Thousands of corporations thus formed are doing business in all parts of the United States, and the absence of restrictions on our part affords unlimited opportunities for frauds upon investors in the shares and upon creditors of such corporations. . . I recommend that you carefully revise the law for incorporations, and that you fix a franchise tax to be collected from all corporations upon their formation in this territory."

22 Jan. '07, p.60-61

b Fla. Broward. "A law regulating the issue of stocks and bonds by corporations, modeled upon that of those states where it is in successful operation, should be passed by this Legislature."

2 Apr. '07, p.23

### 514 Increase or reduction of capital

a Ala. Comer. ". . . I suggest a law that in the reorganization of any road or public service corporation, or in the building or erecting of any new road or public service corporation, that the amount of securities that may be issued against its properties must be submitted to a commission with the proper authority to cause a survey of the property or properties, with reference to the proposed valuation, and that such valuation be limited to the result of that survey or report, and no securities shall be issued against those properties without the authorization of that commission. I recommend laws prohibiting the increase

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of capital stock or securities by railroads and other public service corporations doing business in this state, unless the proposed increase of said stock or securities be first submitted to the railroad commission of the state, or other proper authority, and approved by said commission or said authority." 15 Jan. '07, p.6-7

- b Ct. Woodruff. "The custom of certain incorporated companies that from time to time issue new stock is so unfair that public attention has been aroused, resulting in severe but just criticism of the laws which make such injustice possible. As a remedy for this complaint I would advise the present Legislature to amend the statutes controlling corporations, so that public service corporations that desire to increase the amount of their capital stock shall be compelled to issue such additional stock at its market value or at a price to be determined by some board or commission designated by law, making one uniform price to all—instead of offering it first to stockholders at par value, although it may be sold or offered in the market at a higher quotation." 9 Jan. '07, p.8

- c Ia. Cummins. ". . . I reiterate my recommendation that no capital stock should be allowed to be issued until some state authority had made examination, and until it has been satisfactorily shown that it had been paid for, either in money or in property, at a fair value. . ." 14 Jan. '07, p.19

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## Dissolution. Insolvency

*See also 1743, Insurance*

- a Tex. Campbell. Urges submission of constitutional amendment defining insolvent corporations and prohibiting same from doing business in the state. 16 Jan. '07, p.6-11

525

## Foreign corporations

*See also 1689, Banking*

- a Ala. Comer. ". . . I recommend laws requiring any corporations whatsoever, before doing business in this state, to become domestic corporations in accordance with our laws, and I recommend that suitable and liberal laws for their domestication be enacted." 15 Jan. '07, p.11
- b W. Va. Dawson. ". . . The Secretary of State and the Auditor both make recommendations concerning the amendment of the new law pertaining to the appointment of statutory attorneys by nonresident and foreign corporations. The old law and the new law should be put into one, and their provisions harmonized. I see no necessity for recording the powers of attorney in the county clerk's office, but there should be a complete list of these powers of attorneys somewhere, and I indorse the recommendation of the Secretary of State that all these powers of attorneys should be listed in his office; this would be a great con-

## MONOPOLIES

venience to attorneys throughout the state. The recommendation of the Auditor that each corporation at the time of procuring its charter or of receiving a certificate authorizing it to do business in this state, should pay the fee for the services of the statutory attorney, is a good one."

8 Jan. '07, p.101-2

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## Combinations and monopolies

*See also 1272, Railways*

- a **Cal. Pardee.** "The control and regulation of industrial trusts is a subject which deserves to engage the attention of the Legislature during the present session. In this connection I desire to direct special attention to the antidiscrimination law adopted in Kansas two years since, and which is so entirely sane and evidently just that it appears to be a model for California and other states. It is directed against one of the most common practices of the trusts, consisting of selling the same products at high prices when no competition exists, and at other times, or in other places, at prices so low that competition is speedily crushed out. The law in question provides that it shall be adjudged 'unfair discrimination' and a penal offense if any person, firm, or corporation shall intentionally, for the purpose of destroying the business of a competitor in any locality, discriminate between different communities by selling a given commodity at a lower rate in one place than in another, after making due allowance for difference in cost of transportation or manufacture. The offense of unfair discrimination thus created is made punishable by a fine of from \$500 to \$5000, and contracts made in violation of the law are declared void. . ."
- 7 Jan. '07, p.47-48
- b **Col. McDonald.** ". . . The question of proper legislation on this subject [trusts] is one of the vexatious problems confronting most of the states, although some have taken the initiative and have placed remedial legislation on their statute books. The Ohio law is looked upon as one of the best, and it has stood the test of judicial determination. I therefore recommend that you look into the merits of that law very carefully. . . Any legislation along this line should clearly define a trust, illegal or unlawful combination in restraint of trade and competition, and should give the Attorney General power to bring quo warranto proceedings against such unlawful combination. . ."
- 3 Jan. '07, p.15-16
- c **Ind. Hanly.** "There is need of legislation conferring upon the Attorney General authority to proceed against unlawful combinations. . . There should be legislation relating directly to the subject of trusts or combinations of capital having for their purpose the elimination of competition or the control of prices. This legislation should be along the lines of the federal statutes upon this subject in so far as they are applicable to conditions in this

state. These laws have been construed by the federal courts, and have been found to be effective wherever those charged with the duty of enforcing them have in good faith sought their enforcement." 10 Jan. '07, p.62

- d Mo. Folk. ". . . In order to protect the independent dealers, and to prevent such discrimination, I recommend the enactment of a statute prohibiting a concern or corporation from selling higher in one part of the state than in another, cost of transportation being taken into consideration. . . I would suggest an amendment to the antitrust laws of the state adding a prison punishment for their violation. The result of a violation of the trust laws in creating monopoly and destroying competition is too serious to permit one to escape with a mere fine which can easily be paid out of a small part of the proceeds of lawlessness. It should be just as serious an offense to violate the antitrust laws as it is to violate the larceny statutes."

2 Jan. '07, p.21

- e Mo. Folk. ". . . It is the province of the General Assembly to put an end to this wrong by preventing one corporation from owning stock in another, and authorizing quo warranto proceedings to be filed to dissolve any corporation a majority of the stock in which is thus acquired by a holding company. . ."

2 Jan. '07, p.25-26

- f N. D. Sarles. "H. B. no. 178, 1905, antitrust law, is an exact copy of a law declared unconstitutional by the Supreme Court of the United States because of section 10 (sec. 9238, 1905, Code) . . . I recommend the repeal of section 10 . . . that it may be operative and effective."

9 Jan. '07, p.11

- g U. S. Roosevelt. ". . . In some method, whether by a national license law or in other fashion, we must exercise, and that at an early date, a far more complete control than at present over these great corporations—a control that will among other things prevent the evils of excessive overcapitalization, and that will compel the disclosure by each big corporation of its stockholders and of its properties and business, whether owned directly or through subsidiary or affiliated corporations. This will tend to put a stop to the securing of inordinate profits by favored individuals at the expense whether of the general public, the stockholders, or the wage workers. Our effort should be not so much to prevent consolidation as such, but so to supervise and control it as to see that it results in no harm to the people. . . The actual working of our laws has shown that the effort to prohibit all combination, good or bad, is noxious where it is not ineffective. Combination of capital like combination of labor is a necessary element of our present industrial system. It is not possible completely to prevent it; and if it were possible, such complete prevention would do damage to the body politic. What we need is not vainly to try to prevent all combination, but to secure



## COURTS

such rigorous and adequate control and supervision of the combinations as to prevent their injuring the public, or existing in such form as inevitably to threaten injury. . ." 3 Dec. '06, p.19-21

590

### Administration of justice

591

#### Practice of law

See also 675, Public prosecutor

595

#### Compensation. Fees. Liens

- a S. D. Elrod. ". . . Paragraph 414 of chapter 15 of the Code of Civil Procedure should be amended so as to allow the attorney foreclosing a mortgage a reasonable fee for his services."

8 Jan. '07, p.42

600

### Courts

Names and general organization of courts vary greatly in different states. Courts are here grouped according to actual jurisdiction. The precise names of the courts are preserved in entries.

- a Mo. Folk. ". . . On account of the increase of business incident to the growth of the state, the Supreme Court is several years behind; and as business increases the condition must become worse as time goes on. This works an injustice to litigants, especially to the poorer classes. The number of supreme judges can not be increased except by constitutional amendment, but the court can be enabled to catch up with the docket through a commission that you can authorize the court to appoint. I suggest that such a commission be provided for, in order that all who seek may find justice speedily."

2 Jan. '07, p.37-38

- b N. J. Stokes. "At the session of 1905 an act was passed providing for the appointment of a commission to take into consideration and report to the Legislature proposed amendments to the Constitution relative to the courts of New Jersey. . . Our judicial system was devised to meet the requirements of 60 years ago. . . There will be differences of opinion as to the proper remedy. A large majority of those who have given this matter conscientious thought believe that the plan proposed by the commission will remedy our present judicial ills. I earnestly commend this subject to your thoughtful consideration with a view to submitting to the people such constitutional amendments for the reorganization of our courts as will enable this department of government to proceed unhampered in its administration of justice."

8 Jan. '07, p.22-24

603

#### Reports. Reporters

- a Tex. Lanham. ". . . At the instance of the Attorney General, I suggest the necessity of authorizing the printing of the volumes of the reports of the appellate courts, of which manu-

script copies are now ready and in the hands of the reporters, and making the necessary appropriation for such purpose; also authorizing the making of the necessary contracts for the printing and publication of other and subsequent reports as is required by law." 10 Jan. '07, p.22-23

605

### Supreme courts

Including only those highest in state of whatever name, e. g. Court of Appeals but not Supreme Court of New York. In New York, New Jersey and elsewhere the Supreme Court is a district court and is classed below others. The Court of Appeals in New York, New Jersey, Kentucky and Maryland is the highest court, but in Colorado, Kansas, Missouri and Texas it is subordinate to the Supreme Court.

- a **Neb. Mickey.** "I recommend that you submit to the electors an amendment to the Constitution providing for a Supreme Court of five members, to be increased to seven members as the public service may require and at the discretion of the Legislature, at a salary in proportion to the responsibility and dignity of the office . . . The people need the relief which a larger court would afford and I believe that for the present five members could hear and determine all the cases. . ." 3 Jan. '07, p.21-22
- b **S.C. Ansel.** ". . . The space allotted in the State House for the use of the Supreme Court has all been taken up with the library and records, except one consultation room and the court room. I respectfully ask, that you look into this matter and provide for the necessities of the court in this regard." 15 Jan. '07, p.9
- c **W. Va. Dawson.** Asks for legislation to lighten the work of the Supreme Court and for higher salaries for judges of that court. 8 Jan. '07, p.79-80

606

### Officers

- a **S.D. Crawford.** ". . . I earnestly recommend that this office [clerk of the Supreme Court] be put upon a salary basis; that a fee bill be enacted and that the officer be required to give an official bond and to strictly account for all fees collected and to pay the excess over and above his salary into the state treasury. . ." 8 Jan. '07, p.11-13

*Reports. Reporters, see 603*

609

### Intermediate courts

For officers and judges *see* 657-94; *see also* 371(3, Juvenile courts; 373, Pardons

- a **W. Va. Dawson.** ". . . Under the Constitution as it now is (at least as it is generally construed), a court inferior to the Circuit Court can not be created with jurisdiction beyond a single county. There is good reason why the Legislature should have authority to establish such inferior courts, especially a Criminal Court, in a circuit consisting of two or more counties."

8 Jan. '07, p.79

## COURTS

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- b Wy. Brooks. Urges redistricting of judicial districts.  
10 Jan. '07, p.16

645

### Inferior courts

- a N. Y. Hughes. ". . . I am informed that the City Court of New York is three years behind in its regular calendar, so that unless a case is of such a nature that it can be put upon the short cause calendar it takes three years to reach it for trial. This is a shocking injustice. In the Municipal Court in the borough of Manhattan, there are undisposed of 6543 cases on the general calendars and 8789 cases on the reserved calendars, with the figures missing for two districts which themselves have a very large accumulation of arrears. It is doubtful whether any court in the country affects the welfare of more persons. It is the poor man's court, where justice should be speedy, but delays of this sort amount to a denial of justice and breed disrespect for the law and its administration. . . I ask your careful consideration of this matter." 2 Jan. '07, p.27-28
- b Vt. Bell. ". . . A law is recommended to provide against the unreasonable practice of continuing cases in County Court without cause. The County Court docket should be a new book from term to term, and not a continued story." 4 Oct. '06, p.6

653

### Justice of the peace

- a W. Va. Dawson. "There is one class of public officers whose compensation should be fixed, and should not be paid by fees at all. These are justices of the peace. They belong to the judicial department of government. As the law has been for many years, these members of the judiciary are subjected to temptation which ought not be placed before any public officer, and especially before a judge. The loser of a suit before a justice must pay the costs, including the justice's compensation. The plaintiff may be worth nothing and the defendant may be a man of means. In a close case, the justice should not be tempted to decide the case against the defendant for the reason that if he decides it against the plaintiff he can collect nothing off of him, and will lose his compensation. It seems difficult, I know, to measure the compensation of these officers. In the first place, it might be well to reduce the number to one to each magisterial district, his annual salary to be fixed by the County Court, and require him to hold his court at stated times and promptly to hear and determine all cases. Let the fees which are now charged, and which go to the justice for his compensation, be paid into the county treasury. These fees could be increased somewhat if it is thought best." 8 Jan. '07, p.81
- b W. Va. Dawson. ". . . The law concerning the collection of fines by courts and justices needs amendment. Every justice of the peace should be required to report to the county clerk

promptly after the close of each month all fines imposed by him, and the status of them, whether collected or not. . ."

8 Jan. '07, p.102

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## Court officers

659

### Fees. Salaries

For fees and salaries of a particular court officer *see* that head

- a **Ct. Woodruff.** "Judges of the Probate Courts, sheriffs, and all court officers, and perhaps town clerks, should be paid salaries fixed by law; and all fees paid into the courts, to the clerks of courts, and to the county sheriffs should be paid over to the treasurer of the state or to the treasurer of the county as the statute may provide. . . I would urge this General Assembly to frame a bill comprehending this recommendation."

9 Jan. '07, p.18

- b **U. Cutler.** Asking for the enactment of a statute making clear and unmistakable the matter of mileage and expenses of district judges and attorneys.

14 Mar. '07

- c **Vt. Proctor.** "I remind you of the desirability of eliminating the fee system as much as possible, especially in the administration of the penal laws in our minor courts. It can not be abolished entirely without making an unnecessary and disproportionate expense for salaries. . ."

4 Oct. '06, p.5

668

## Judges

- a **Ala. Jelks.** "The judges of the state and the chancellors, it seems to me, ought to have an increase of their salaries. Living is more than twice as high in Alabama as it was when some of these salaries were provided for. There is no judge now on the bench in Alabama, measuring up to his place, who can not earn in his profession a larger income than he is receiving from the state."

14 Jan. '07, p.25-26

- b **Kan. Hoch.** ". . . I believe the salaries of our Supreme Court judges and of our district judges alike are ridiculously low. These salaries were fixed when the state was new and the people were poor, and when the duties of their positions were not so complicated and arduous, and when the public interests involved were not so numerous or so great; but now in the day of our prosperity, when all wages are higher and the necessities of life dearer, it is a matter of plain, palpable justice that our judges should be better paid. . ."

8 Jan. '07, p.16-17

- c **Tenn. Patterson.** ". . . The compensation of our Supreme Court judges is meager, and no provision at all is made for their expenses. The result is that unless they are men of means when they go upon the bench, they must face an old age of penury when they retire. This is also true of other judges, all of whom receive inadequate salaries, entirely disproportionate to their positions and responsibilities, and less than the compensation of many

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county officials who perform only clerical labor. Under the Constitution, you can not increase the salaries of these officials during their terms of service, but you can enact such a law which will take effect at the end of their terms, and this I earnestly recommend." 7 Jan. '07, p.2

- d Wash. Mead. "The present salaries of the justices of the Supreme Court and of the judges of the Superior Courts are entirely inadequate to the demands of the positions. It is a matter of common knowledge that members of the bar possessing high legal attainments, ability and character must make financial sacrifices for the honor of serving on the bench, and that too, with a tenure of office shorter in this state than in many others. The tendency in the commonwealths of the Union is steadily toward a higher paid judiciary. I recommend an increase in the salaries of Supreme Court and Superior Court judges." 14 Jan. '07, p.25

669

## Notaries public

- a Neb. Mickey. ". . . At the present time the statutes provide no age limit for notarial appointments. It seems to me that an office so important, having to do with the acknowledgment of deeds, mortgages, affidavits and nearly all papers pertaining to our legal system, should not be exercised by any person of immature years. I recommend that section 1, chapter 61, of the Compiled Statutes of 1905 be amended so as to include an age qualification of at least 21 years." 3 Jan. '07, p.6
- b Nev. Sparks. ". . . Under present circumstances it seems advisable to greatly increase the number of notaries by giving to each county a full sufficiency, or, if more practicable, to allow the issuance of commissions on applications of citizens for the state at large." 21 Jan. '07, p.11-12
- c Or. Chamberlain. "Under the present system, too many notaries public are appointed. The propriety of limiting the number is questionable, but if a liberal fee were authorized to be charged by the Secretary of State for issuing a commission, to be turned in to the general fund, it would operate to limit the number of applications and at the same time result in raising a considerable revenue for the state." 16 Jan. '07, p.9
- d U. Cutler. "Under the present state law regarding notaries public, no restrictions are specified as to age and citizenship of persons who may be appointed to that position. . . . It is certainly advisable that the law be so amended as to require that all notaries public shall be citizens of the state, at least 21 years of age." 15 Jan. '07, p.41
- e W. Va. Dawson. ". . . I wish to reenforce the recommendation made to you by my predecessors, that the law should be changed so that notaries would be appointed for a definite term. . . . The four year term seems to be that most favored. If you should amend the code in this respect, it might be well to

provide that the notaries in office on January 1st, 1907, could serve for four years, and that thereafter notaries should serve for four years from the date of appointment, and that the expiration of the term of service should be stated in their commission."

8 Jan. '07, p.112

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**Public prosecutor**

*See also 50, Attorney general*

- a **Ind. Hanly.** "[The Governor] has no authority to direct the action of any county sheriff or prosecuting attorney in any case . . . It is unjust as it is idle to charge the executive with the enforcement of the law, and then leave him without effective means to discharge the duty imposed." 10 Jan. '07, p.25
- b **Mo. Folk.** ". . . In order that the laws of the state be regarded all over the state, the Attorney General should be authorized, when directed by the Governor, to file quo warranto proceedings in the Supreme Court against any prosecuting attorney, police commissioner, sheriff, mayor or other official wilfully failing to enforce the laws of the state, and if the court is satisfied, after hearing the evidence, that the charges are sustained, the court should be given the power to render a decree of ouster. . ." 2 Jan. '07, p.34-35
- c **Mo. Folk.** ". . . There should be some remedy when officials of any locality deliberately refuse to enforce the state laws . . . The present statutes afford a very ineffective remedy for removal of county officials by proceedings brought by the prosecuting attorney. There is no remedy at all when the prosecuting attorney neglects his duty. Proper proceedings should be provided for the removal of officials who, in their public duty, forsake the service of the people's law. . ." 9 Apr. '07, p.9-10
- d **Neb. Mickey.** "I have a firm conviction that the chief executive should have more specific power conferred upon him in the matter of law enforcement. . . I recommend the creation of a statute providing that in all criminal cases and in civil matters wherein the state is interested, where proper complaint has been made to the county attorney and where he neglects or refuses to prosecute, that the Governor be given power to either command such county attorney to immediately institute vigorous and faithful prosecution, or in lieu thereof to hire special counsel to take charge of the case at the expense of the county, or to do both, and in event of the continued neglect or refusal of such county attorney to act that the Governor be given absolute power to remove him from office forthwith. . ." 3 Jan. '07, p.16-17
- e **W. Va. Dawson.** ". . . The Governor has no authority over the Attorney General, and the Attorney General has no authority over the prosecuting attorneys. The Governor has no power to remove any of these officers or other like officer who fails to do his duty, or who fails to act on the suggestions of the Governor

## CIVIL PROCEDURE

even. . . The Attorney General, who ought to be the right hand of the Governor in the enforcement of the law, is under no legal obligations to the Governor whatever. I make bold to say that both these officers should be appointed by the Governor; and the Governor should have the authority, which should be of course properly guarded and restricted, to remove any officer (but not judges, of course) who is incompetent, corrupt, or who fails to do his duty. . . "

8 Jan. '07, p.42-47

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### Stenographers

- a **W. Va.** Dawson. "What I have said about the abolishing of the fees and the payment to officers of salaries instead, will also apply to official court stenographers. . . "

8 Jan. '07, p.82

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### Civil procedure

Including such provisions as apply both to civil and criminal cases.

- a **Ill.** Deneen. Urges passage of practice act adopted by the Practice Commission. 9 Jan. '07, p.38-39
- b **Neb.** Mickey. "The suggestion of President Roosevelt in a recent message to Congress that a law should be passed to prevent courts from setting aside just decisions for mere technical errors in pleadings, instructions and evidence, recalls some of the civil cases wherein the state of Nebraska was on technical grounds a defeated party, and brings to public attention the necessity for providing a remedy against public losses like those revealed in the litigation of civil cases instituted by the state . . . If the people can not get relief by means of a statute like that suggested by President Roosevelt, provision should be made to amend the Constitution to meet present conditions."

3 Jan. '07, p.19-21

- c **Tex.** Campbell. ". . . Probably more than half the civil suits tried and appealed are reversed and remanded for new trials, and many new trials are granted by trial courts on account of errors in the court's charge to the jury. Costs to litigants are increased, delays and unjust burdens are laid upon those forced to invoke the aid of the courts to secure their rights under the Constitution and laws. The costs incurred by the counties for juries and other incidental expenses in the numerous trials of the same cases is heavy and has attracted the attention of the people. It seems to me that an effort should be made to give the relief demanded and as tending in that direction I recommend to the Legislature the enactment of laws authorizing verdicts to be returned in trial of civil cases in the District Court by the concurrence of nine members thereof, and also requiring trial judges to prepare their instructions to the juries in civil cases and submit the same to the parties or to counsel on both sides of the case before the argument begins; that the charge shall as now be

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read to the jury on the conclusion of the arguments of counsel, or on conclusion of the evidence if no arguments are to be made to the jury; and by law provide further, that all special charges or additional instructions proposed or requested shall be prepared, submitted to opposing counsel for objection, if any, and then delivered to the judge before the main charge is read to the jury, and that all exceptions to the main charge or to the giving or failure to give special charges, shall be taken and the ground of objection stated in writing and noted by the judge before the jury retires, and that all errors in the charge or with respect to the special charges not then assigned and again pointed out in motion for new trial shall be considered and held to have been waived and shall not constitute grounds for new trial or reversal unless fundamental. . . . 16 Jan. '07, p.16

- d **Tex. Campbell.** "Upon the subject of simplifying the procedure in both civil and criminal trials and also upon the needed reforms in our jury system, I again call your attention to the importance of these reforms, both to the counties and state, and to the people who bear the burden of a system almost bewildering in its meshwork of technical absurdities. I can not too strongly urge upon this Legislature the necessity for the reforms demanded. I here reiterate the suggestions submitted in my message to your honorable body when in regular session. . . . My further recommendation upon this subject is that you enact laws requiring the joining of issues and the closing of the pleading in the case before the case is placed upon the jury docket of the court, and that laws be enacted authorizing verdicts to be rendered in the trial of civil cases in the District Courts on the concurrence of nine members of the jury. . . ." 16 Apr. '07, p.5-7

726

### Jury. Verdict

- a **Ct. Woodruff.** "One of the profound mysteries of Connecticut that has baffled legislatures, balked justice, and exasperated public opinion is the law which makes it impossible for a person sustaining injury to secure trial by jury of a suit for damages. Connecticut is the only state in the Union in which this constitutional guaranty is denied. . . . My purpose is to urge with all the force I can express that you make it a particular part of your present business to put this General Assembly on record as a fearless and faithful body of representatives by enacting such legislation as will secure forever to the people of Connecticut the constitutional right of either party in an action of tort to a trial before a jury." 9 Jan. '07, p.10-12
- b **Del. Lea.** "Experience in our sister states and in the federal courts has demonstrated that, in the administration of justice by courts, the best, least expensive and most satisfactory results are reached, when the jurors of the courts are selected under the supervision of the judges. The jurors of the courts who are



## CIVIL PROCEDURE

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summoned for the trial of cases should not be required to serve more than two weeks during any one term of the court. The courts, or the judges thereof in vacation, should be authorized by law to convene any of our courts upon a short notice and empowered to have drawn and summoned the grand and other jurors required for such special terms. . . " 1 Jan. '07, p.15

- c **Mass. Guild.** "I urge upon you the necessity of jury reform. When the bench itself in public utterance gives evidence as to the appearance even of the intoxicated, the criminal and the insane on Suffolk juries; when pressure is notoriously exerted to secure places especially on these juries as a compensation for political favors; when men high in social and commercial life similarly exert pressure to be excused from jury service, it is certainly time that the authorities designated by law to prepare the jury lists should be safeguarded from such improper influences. Absolute justice should be forwarded by remedial amendments to the laws affecting the selection of juries, to the end that the corruptionist who seeks jury service and the citizen who evades service may no longer alike hamper the administration of justice and the law." 3 Jan. '07, p.24

733

### Appeals. Review

- a **U. S. Roosevelt.** ". . . It would be well to enact a law providing something to the effect that: No judgment shall be set aside or new trial granted in any cause, civil or criminal, on the ground of misdirection of the jury or the improper admission or rejection of evidence, or for error as to any matter of pleading or procedure unless, in the opinion of the court to which the application is made, after an examination of the entire cause, it shall affirmatively appear that the error complained of has resulted in a miscarriage of justice." 3 Dec. '06, p.4

739

### Special actions

741

#### Attachment

742

#### Garnishment

- a **Vt. Proctor.** ". . . I recommend that the law be so amended that wages or compensation due the principal debtor for work and labor performed by him in person should be exempt to the amount of \$10, and that wages only in excess of that amount should be liable to the trustee process." 4 Oct. '06, p.9-10

749

**Writs: certiorari, injunction, mandamus, prohibition, quo warranto, scire facias**

- a **U. S. Roosevelt.** Renews recommendation that adverse parties be given due notice by the court before the granting of an injunction. 3 Dec. '06, p.5-8

749

- b W. Va. Dawson. "Without referring to the granting of injunctions in labor troubles, it would seem that some statutory law is necessary to regulate the granting of this great writ, so necessary in its nature, and which serves so many useful purposes. The very fact that it has a great and useful power, makes its unwise use a great harm. Judges are not as careful as they ought to be, and sometimes they tie up even the operations of the government. The granting of injunctions on ex parte statements, without notice to the adverse party, ought to be especially limited very closely."

8 Jan. '07, p.78

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## ADMINISTRATIVE LAW

This and Constitutional law, 15, make up what is commonly known as the Political Code.

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## Finance. Public property

See also 2237, School finance; 2550, Local finance

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## Domain. Property

774

## Public lands

See also 2240, School lands

- a Cal. Pardee. ". . . The Legislature of 1905 passed an act permitting the acquirement, under certain conditions, by purchasers from the state, of tax-delinquent lands for a sum less than accumulated taxes and interest, but it is a question whether this law does not work an evil by encouraging many persons to let their taxes go delinquent in the hope of buying their property back for less than the taxes would have amounted to. . . I suggest that the law be amended to terminate the right of redemption six months after the land is deeded to the state. This would still give property owners five years in which to redeem — as a deed to the state is not given until five years after the first sale for nonpayment of taxes — and that period is believed to be amply sufficient. A considerable portion of the tax-delinquent lands — more than 180,000 acres — is located within the boundaries of United States forest reserves and national parks, and it is believed that the federal government would acquire these lands and give in exchange other lands situated outside of said reserves and parks. But it would hardly be profitable to the state to make the exchange until after our land laws have been so amended as to keep enterprising speculators from snapping up at \$1.25 per acre any lands of value which might be acquired by the state in this way. To that end I suggest that there be created a board of control, to consist of the Governor, Comptroller, Surveyor

General, and State Forester, empowered to appraise, sell, exchange, or reserve, subject to court review, these lands, as may be deemed most advisable in each instance. One of the advantages of such a system would be that timbered lands which ought to be reserved for the benefit of watersheds could then be protected. The Legislature could not have for consideration a more important subject than this, and I respectfully urge action along the lines proposed."

7 Jan. '07

- b **Col. McDonald.** "The Land Board is one of the most important boards of the state. It requires constant care and attention and the duties are becoming more and more arduous and exacting, and even then it is possible for abuses to creep in which could not if the board was able to devote its whole time and attention to the work. . . . The board should be an elective one, with a term of office of either four or six years, the longer term being preferable. This will require a constitutional amendment, and it would be at least four years before such board could become operative, but I hope this Legislature will take the preliminary steps towards the change in the management of the Land Board. However, this should be remembered, that the State Superintendent of Public Instruction should always be a member of the State Board of Land Commissioners, on account of the fact that this inheritance is for the benefit of the public schools of the state. I believe a constitutional amendment providing for the election of two members of such board, with the superintendent of schools as the third member, would prove very satisfactory, and that in the end it would be a great saving to the state."

3 Jan. '07, p.12

- c **Mon. Toole.** "The work of the Carey Land Act Board is progressing satisfactorily. A comprehensive report of its doings will hereafter reach you. Your especial attention is called to that portion of the report which deals with district no. 4 and segregation list no. 5. It is believed that the whole scheme referred to as district no. 4, is a complete failure, and that good faith and fair dealing upon the state's part require us to take such steps as will eventuate in restoring this land to the public domain, and to this end appropriate legislation should be enacted authorizing the necessary relinquishments and the conveyance to the United States of the tract patented to the state. Otherwise settlement upon the same will be procrastinated indefinitely and the title to this whole block of land will go to a single corporation."

8 Jan. '07, p.29-30

- d **Nev. Sparks.** Urges memorial to Congress asking for grant of 2,000,000 acres grazing lands; recommends extension of 15 to 20 years for full payment of contract lands. 21 Jan. '07, p.8-9
- e **N. M. Hagerman.** "I invite your very close and serious consideration to the comprehensive report of the Commissioner of Public Lands. . . . He shows the inconsistencies in the terri-

torial laws relating to the management of these lands and makes full recommendations for the amendment of these laws, and for the enactment of new ones, some of which it is absolutely necessary should be enacted in order to bring our statutes into harmony with rulings which the Department of the Interior has made during the past two years. . . . 21 Jan. '07, p.38

- f S. D. Crawford. "He [the Commissioner of School and Public Lands] also calls attention to the fact that the lands of the state in Lawrence, Pennington and Custer counties are exposed to loss through contests by mineral claimants and that state lands within the Black Hills Forest Reserve are exposed to loss through the claims of squatters to homesteads. The utmost vigilance must be used to protect the state against wrongful claims of this character and ample means provided to enable the Attorney General to take whatever action is necessary in the premises." 8 Jan. '07, p.10

- g U. S. Roosevelt. "The development of the past year emphasizes with increasing force the need of vigorous and immediate action to recast the public land laws and adapt them to the actual situation. The timber and stone act demonstrated conclusively that its effect is to turn over the public timber lands to great corporations. . . . The desert land act results so frequently in fraud and so comparatively seldom in making homes on the land that it demands radical amendment. That provision which permits assignment before patent should be repealed, and the entryman should be required to live for not less than two years at home on the land before patent issues. . . . The commutation clause of the homestead act serves in a majority of cases to defeat the purpose of the homestead act itself, which is to facilitate settlement and create homes. In theory the commutation clause should assist the honest settler, and doubtless in some cases it does so. Far more often it supplies the means by which speculators and loan and mortgage companies secure possession of the land. Actual, not constructive, living at home on the land for three years should be required before commutation unless it should appear wiser to repeal the commutation clause altogether. . . . The Secretary of the Interior should be enabled to employ enough mining experts to examine the validity of all mineral land claims and to undertake the supervision and control of the use of the mineral fuels still belonging to the United States. . . . The law should give individuals and corporations under proper government regulation and control (the details of which I shall not at present discuss) the right to work bodies of coal land large enough for profitable development. My own belief is that there should be provision for leasing coal, oil, and gas rights under proper restrictions. . . . Many of the existing laws affecting rights of way and privileges on public lands and reservations are illogical and unfair. Some work injustice by granting valuable rights in perpetuity without return. Others fail

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to protect the grantee in his possession of permanent improvements made at large expense. . ." 17 Dec. '06

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### Sale. Settlement. Appraisal

- a Or. Chamberlain. ". . . Numerous parties had purchased lands in several of the above named reserves prior to their creation as such, and now hold either certificates of sale upon which a portion of the price is still unpaid, or having paid in full hold deeds therefor. The board ought to be authorized by the Legislature to cancel the certificates of those willing to surrender them and to refund to the purchasers thereof the amount paid by them thereon. These lands were purchased generally at \$1.25 per acre, and since the repeal of the indemnity selection law by Congress they are of little value to the present holders of the certificates, whilst if the certificates were canceled the state could use them for base which at present prices is worth \$7.50 per acre. There were withdrawn from sale by an act of the Legislature of 1899, 10,000 acres of indemnity lands which had been selected under the act of 1895. I suggest that this act of withdrawal be repealed, and that the lands so selected be put upon the market and sold to the highest bidders." 16 Jan. '07, p.13-15

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### Mineral

- a Minn. Johnson. "The state has a large area of land containing iron ore, and in the past has leased on terms wholly out of proportion to just and proper conditions. The statute now provides that from all iron ore taken from state lands, the state shall receive a fixed royalty of 25 cents per ton, each ton to be reckoned at 2240 pounds. In the light of the leases made between private parties this fixed sum is an absurdity, and should be changed without further delay. . . I would suggest that the provisions of the law be changed, fixing a minimum royalty on state leases of not less than 50 cents per ton, and authorizing a board consisting of the Governor, Attorney General, and the State Auditor to dispose of mineral leases at public auction to the highest bidder without fixing a maximum price by law. . ." 9 Jan. '07, p.18-19
- b N. D. Sarles. ". . . One especially needed is a law to define specifically what lands 'bearing lignite coal' shall come under section 155 of the Constitution, which states 'the coal lands of the state shall never be sold, but the legislative assembly may by general laws provide for leasing the same.' The words 'coal lands' shall include *lands bearing lignite coal*.' This definition, in my opinion, is ambiguous and not sufficiently specific." 9 Jan. '07, p.6
- c Tenn. Patterson. "There is a bill pending in the Senate looking to the development of the Herbert Domain, recently purchased by the state, and providing for the hire of state convicts

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to the N., C. & St L. Ry., to build a line to this property. I am thoroughly opposed to this or any like measure, and unless you are prepared to pass such a bill over my veto there is no occasion to give this subject further consideration. The mines at Brushy Mountain are not exhausted, according to the best information obtainable, and will not be probably for years to come, nor has it yet been conclusively demonstrated that there is coal which can be profitably mined on the Herbert Domain. Until this has been demonstrated by satisfactory experiment, and the report of experts has been made, I will disapprove any effort to abandon, in whole or in part, the mines of the state which have proven value and which have been, and can still be, profitably worked. It is desirable to know definitely the extent and character of the coal measures on the Herbert Domain, and I would approve a law giving me or the Prison Commission authority to cause investigation to be made, to ascertain if the coal is of sufficient quantity and value to justify the state in working the mines and if this is demonstrated, such additional authority as may be necessary to develop the property. . . . 1 Apr. '07, p.6-7

- d **Tex. Campbell.** ". . . I hereby designate and present to you for your consideration and for legislation, the following subjects. . . . To make necessary amendments and changes in the law regulating the sale of school lands and the placing of school lands on the market for sale, and to prescribe regulations in the sale of mineral lands with the reservation of the mineral thereon, and to make such other changes and amendments to the law regulating the sale and leasing of school lands as may be deemed necessary." 22 Apr. '07

- e **U. S. Roosevelt.** "It is not wise that the nation should alienate its remaining coal lands. I have temporarily withdrawn from settlement all the lands which the Geological Survey has indicated as containing, or in all probability containing, coal. The question, however, can be properly settled only by legislation, which in my judgment should provide for the withdrawal of these lands from sale or from entry, save in certain especial circumstances. The ownership would then remain in the United States, which should not, however, attempt to work them, but permit them to be worked by private individuals under a royalty system, the government keeping such control as to permit it to see that no excessive price was charged consumers. It would, of course, be as necessary to supervise the rates charged by the common carriers to transport the product as the rates charged by those who mine it; and the supervision must extend to the conduct of the common carriers, so that they shall in no way favor one competitor at the expense of another. . . ." 3 Dec. '06, p.17-18

- f **U. S. Roosevelt.** Disposal of mineral fuels in government lands under a leasing system and separate from the disposal of the surface. 13 Feb. '07

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- g U. Cutler. ". . . I would respectfully recommend that no lands belonging to the state, which are thought to be coal bearing, be sold. The little land of this character that we have remaining should be held for lease, under such regulations as you think wise." 15 Jan. '07, p.37-38

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### Tide, shore and swamp lands

- a N. J. Stokes. "The riparian lands of the state have been twice the subject of recommendation at my hands. The legislative investigation, so admirably conducted, will be followed by a report of the Investigating Committee, with recommendations that will form the basis of consideration on your part. . . . If our riparian lands should all be severed from state control and vested in individual ownership a Chinese wall of private interests would then inclose the docks and landing places of these harbors and rivers of commerce. Whatever policy, therefore, is adopted as to the remaining riparian lands of the state, care should be exercised that either the state or its municipalities should retain control over some of its water fronts, that there may be public landing places for incoming and departing ships and that the state and its people may not be entirely debarred from the great waterways except through the permission of private ownership."

8 Jan. '07, p.18-19

- b Or. Chamberlain. "With respect to tide lands, I recommend that they be withdrawn from sale for 10 years. It seems to me that the policy of selling these tide lands has been a mistaken one. If they had been withdrawn from sale years ago and simply leased, the state would have realized more from them and might have continued to own valuable rights and privileges which under the policy which has been followed have been sold for a mere song."

16 Jan. '07, p.15

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### Timber

- a Minn. Johnson. Urges amendment of timber trespass law so as to give Timber Board greater freedom in settling suits; to change system of compensation of Surveyor General in a re-scale of timber; to allow change of place of auction of stumpage from county seat to nearest county seat at the option of the auditor.

9 Jan. '07, p.36-37

- b S. D. Elrod. "I recommend that the Commissioner of School and Public Lands be authorized to sell all matured and insect eaten timber belonging to the state under such rules, regulations and safeguards as may be deemed for the best interest of the state. . . . The best authorities say that the only way to prevent the spread of beetles in the timber is to cut down all trees so infested, for if cut at the proper time, it will prevent their transferring themselves to trees that have not been attacked. The Commissioner of School and Public Lands should investigate this matter and under his advice and direction a bill should be prepared with special care and promptly passed"

8 Jan. '07, p.33

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- c **S. D. Crawford.** ". . . The Commissioner [of Public Lands] recommends that a law be passed at this session authorizing that officer to sell all matured timber belonging to the state within this reserve under such safeguards as may be deemed best. I request that you give this recommendation careful consideration."  
8 Jan. '07, p.10

779 **Buildings. Property and supplies**

780 **Buildings and grounds**

- a **S. D. Crawford.** "I believe that a permanent plan of the grounds, with drives, parks, fountains, walks, lawns, trees, and locations for buildings to be erected in the future [for all state institutions] as the institution grows, should be carefully made in advance and every new improvement should be so placed as to harmonize with such plan. . ."  
8 Jan. '07, p.8

781 **Capitol**

- a **Ark. Little.** ". . . Many charges and imputations have been made involving the integrity of the work [on the new state Capitol] which has been done; at least enough has been charged not only to attract your attention but to demand of you a full, complete and thorough investigation of the work and expenditures connected therewith. . . I therefore recommend to you that your respective bodies cause a thorough investigation to be made. . ."  
18 Jan. '07, p.8-9
- b **Cal. Pardee.** ". . . If it be found, upon investigation by the Legislature, that additional appropriations are needed to complete and beautify the interior of the Capitol, I recommend that such appropriation, if possible, be made. . ."  
7 Jan. '07
- c **Fla. Broward.** Additions to the Capitol. 2 Apr. '07, p.53-55
- d **Me. Cobb.** ". . . While in my judgment it would be unwise to enlarge the State House, I believe that a proper regard for public convenience and efficiency should influence you to approve the erection or lease of an office building in this city for state purposes and thus relieve the congestion of which there is so much just complaint."  
3 Jan. '07, p.11
- e **Mass. Guild.** "The State House is overcrowded. There is now paid in rental for offices of various boards and commissions outside the State House over \$30,000 annually. Business sense and sound economy alike require the immediate construction of a modern office building for the accommodation of our public servants. . ."  
3 Jan. '07, p.9-10
- f **Minn. Johnson.** Repair and maintenance of old Capitol.  
9 Jan. '07, p.55-56
- g **Mo. Folk.** ". . . It will not be many years before a new Capitol will be sorely needed. A new Capitol should be paid for



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as it is being built, so that it can be secured without additional taxation or issue of bonds. To do this it will take 10 years or more to construct it. It would be well for you to consider the propriety of inaugurating this work at the present session of the Legislature." 2 Jan. '07, p.41

h Nev. Sparks. Repairs to Capitol. 21 Jan. '07, p.15-16

i N. C. Glenn. Accommodation for public offices by addition to Capitol or erection of Hall of History. 9 Jan. '07, p.25-26

j Or. Chamberlain. "I deem it proper to suggest that the state printing office should be removed from the Capitol building. Not only does the constant jar of the presses impair the strength of the building, but the oil and combustible material around the office is a constant source of danger. All of the archives of the state are deposited here, and valuable as they are, they should not be longer exposed to the risk of a general conflagration. In addition to this, office room is much needed, and the portion of the building occupied as a printing establishment should be converted into much needed offices. This matter should receive the immediate attention of the Legislature, for it would be better to provide for the purchase of ground and the erection of a building especially adapted for a printing office, than to incur the constant and imminent risk of a fire which might totally destroy the Capitol building and its contents, a loss which in the very nature of things would be irreparable."

16 Jan. '07, p.31-32

k Pa. Pennypacker. ". . . It would be too much to expect the Capitol . . . to escape the whimpers of today, and if it can not be denied that the eyes of men lighten and that their hearts warm as they view its wonderous success, at least it can be urged that it has cost a considerable sum of money. Upon this subject I request and advise that you make a thorough and complete inquiry. . . And if after having given full opportunity to those who have been making charges to support them with their testimony you should reach the conclusion that a good work has been wrought for the commonwealth honestly, industriously, faithfully and with proper expenditure, you will not hesitate to so pronounce."

1 Jan. '07, p.15-18

n Pa. Stuart. Recommends joint committee to investigate charges of fraud in erection of new Capitol. 15 Jan. '07, p.9-11

p S. C. Heyward. ". . . The State House now is too small to meet the requirements of our government. . . The Supreme Court room and the Supreme Court library should be moved, and another building, conveniently located, should be erected for their accommodation. This change would provide needed offices for every state official, and would meet the requirements of the situation."

8 Jan. '07, p.18-19

q S. C. Ansel. "I would also urge, that some steps be taken toward beautifying and improving the grounds that surround this Capitol building. . ."

15 Jan. '07, p.9

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- r S. D. Elrod. Completion of Capitol. 8 Jan. '07, p.24-30
- s S. D. Crawford. Completion of new Capitol. 8 Jan. '07, p.37-40
- t Tenn. Patterson. "The condition of our state Capitol is a reproach to Tennessee. A magnificent and costly building—the pride of the people—built for use and adornment, is rapidly going to decay. Its furnishings are old and worn, the halls of the House and Senate are unsightly, and aside from the noble proportions of the building itself, there is nothing in the interior that would impress a visitor or cause pride to the people of the state. I recommend that a liberal appropriation be made at once, to protect the Capitol from further decay, and to thoroughly renovate and refurnish the building and improve and beautify the grounds. In this connection I also recommend that either the Superintendent of the Capitol be furnished a sufficient force to keep the building and grounds in order, or that he be given authority to make requisition on the Commissioners of the Penitentiary for enough short-term convicts for this purpose. . .

. . . I recommend an appropriation to construct a building either in the rear of the Capitol within the grounds, but not attached to the main building, or for the purchase of a convenient lot outside of the Capitol grounds, where a building may be constructed to accommodate our state officers who are not now provided for, and in order that the state's business can be properly and conveniently conducted." 7 Jan. '07, p.3-4

- u U. Cutler. Erection of a state Capitol. 15 Jan. '07, p.45
- v W. Va. Dawson. Additions to and renovating of the Capitol. 8 Jan. '07, p.93-95

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*Executive mansion*

- a Col. McDonald. "As I am now retiring from office, I believe I can, with becoming modesty, recommend that the Legislature make provision for an executive mansion, to be maintained by the state. . ." 3 Jan. '07, p.17
- b Tenn. Patterson. "I further recommend the purchase of a home for the Executive. There may be others, but so far as my knowledge extends, Tennessee is the only state which fails to provide a suitable residence for its Executive. Aside from other considerations, a Governor who is compelled to board at a hotel can not properly represent the dignity of the state, nor can he give that study to its business which he ought to bestow. Without a home it is impossible to show that courtesy to visitors and to senators and representatives of the people which they expect and which the Executive of the state ought to extend."

7 Jan. '07, p.3

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**Property and supplies generally**

787

*Contracts and supplies*

- a N. H. Floyd. "It is the custom for certain heads of departments to buy what supplies they want, and after the goods have

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been delivered send the bills to the Governor and Council to be approved and paid. While this covers no dishonesty and involves a comparatively small amount of money, it is a loose practice, open to abuse, and I recommend that chapter 71 of the laws of 1903, relative to state officials having control of public funds be so extended as to require all officials wanting supplies to make requisitions for them, and have such requisitions approved before the purchases are made."

3 Jan. '07, p.9

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### *State institutions*

- a **Ill. Deneen.** "Recognizing that the buildings and mechanical equipment of most of the state institutions were erected and installed many years ago, before architectural and engineering science had reached the high mark of advancement obtaining now, a survey has been made by the State Architect of these institutions. Scaling their recommendations down to those items which they consider necessary for the physical operation of the institutions, the safety of the inmates, and, in some cases, their well being and comfort, the total appropriation asked for is \$730,000. . . I recommend that the General Assembly make this extra appropriation out of the state surplus. . ."

9 Jan. '07, p.7-8

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### *Insurance*

- a **Cal. Pardee.** "I desire again to call the attention of the Legislature to the fact that no provision has as yet been made either for insuring state property or for creating a state insurance fund out of which losses may be paid without waiting for a session of the Legislature to make appropriations therefor. . . The state can insure its own property more cheaply than it can hire it insured, and prudence dictates that it create an insurance fund of its own."

7 Jan. '07, p.16-17

- b **N. D. Sarles.** "I believe the law allowing public buildings to be insured for two thirds of their value should be changed and the maximum amount be one half of the value. I believe the rate for this insurance is high, considering the risk carried."

9 Jan. '07, p.7

- c **W. Va. Dawson.** State fund for insurance of public buildings.

8 Jan. '07, p.60

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### *Public works*

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### *State departments*

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### *State engineer. Surveyor*

- a **Cal. Pardee.** ". . . It would be well to merge the engineering departments of our state government into one department of engineering and public construction, with a single engineer at its head, who should be held responsible to the executive office and

should be empowered to associate with him an expert architect, and such other experts along special lines as his work may from time to time require. . . California is a growing state, and it is inevitable that a great deal of public building must be done, roads constructed, dams built, and reservoirs excavated, and, besides, there is a world of overflowed lands to be reclaimed and arid wastes to be redeemed from drought. Of all such enterprises the fullest records should be preserved and the work be done under a continuing policy that shall begin somewhere and end at some definite goal, instead of being a patchwork beginning and ending nowhere. . . "

7 Jan. '07, p.53-54

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## Taxation (general)

Relating chiefly to general property taxes. Under local finance are placed only those tax laws which strictly belong there, as limitations of rates, etc. State and local taxes are usually collected together by local authorities; hence a separation would be confusing.

- a **Ala. Jelks.** "The Tax Commission law is effective in increasing the assessment against a few people in an average of one half of the counties. It does not reach one person in 100 whose property deserves to be raised. . . I am of the opinion that ultimately the law must be so changed as to exclude altogether for consideration all such personal property as may be entirely hidden from the assessor, except such as the law requires court or state records to disclose. I am inclined to believe that the principle of a mortgage tax might profitably and fairly be extended. . . "
- 8 Jan. '07, p.5-6
- b **Ark. Little.** "I would suggest as one of the means of increasing the general revenues of the state, the increase of the license tax on liquor dealers and the levy of a privilege tax upon corporations doing business in the state. . . "
- 18 Jan. '07, p.15-16
- c **Del. Lea.** ". . . Our revenue system should be incorporated in one comprehensive, adequate and thoroughly fair measure which should be couched in language so simple that every one might readily understand the same. . . "
- 1 Jan. '07, p.3-5
- d **Ill. Deneen.** ". . . There is a general movement throughout the country to place revenue systems upon a more scientific basis, that the burden of taxation may be more equitably distributed. . . I recommend . . . that a commission be appointed to study carefully the question of taxation and to report its findings and recommendations to the 46th General Assembly."
- 9 Jan. '07, p.44
- e **Minn. Johnson.** "I would most urgently recommend legislation providing for the establishment of a permanent tax commission, which shall be empowered to make a careful and scientific study of this question and report from time to time, both to the executive officers and to the Legislature. The commission should visit the several counties of the state annually,

or at least biennially, and should be empowered to supervise the work of local assessors and boards, and provide rules to facilitate the performance of the duties of assessors and otherwise aid them in the work of securing equal and uniform assessments. Specially important service can be rendered by the proposed state commission in seeing that the tax laws made by this Legislature are enforced strictly, uniformly and impartially, and that assessments are free from discrimination as between counties, local assessment districts and different parcels of property in the same district. . . ."

9 Jan. '07, p.7-8

- f N. H. Floyd. ". . . I therefore recommend the creation of a committee authorized, and required, to study the subject [taxation] in all its bearings, and report its conclusions to the next Legislature."

3 Jan. '07, p.8

- g N. M. Hagerman. ". . . In order that a uniform and consistent law on this subject [taxation] may be available for the guidance of the many territorial officials whose duty it is to see to the enforcement of the laws of assessment and taxation, and that the difficulties which now exist even in the minds of trained lawyers, as to the interpretation of the many acts which have been passed on the subject, may be partially, at least, overcome, I strongly recommend that you make a complete compilation and revision of all such laws, repealing all the laws now on the statute books and enacting one new one embracing all their provisions, with such amendments as you deem proper. This, I believe, should be done, even if the revision should not be as complete as might be desired at this session of the Legislature. I suggest that in whatever revision of the session laws you are able to accomplish you bear in mind the three fundamental defects which, among a great many good provisions, are now generally apparent throughout these laws:

1st: Defects relative to equitable assessment of property. . .

The unequal assessment and wrongful classification of property can be remedied by clearly providing that the values as fixed by the Board of Equalization shall be enforced throughout the territory and by establishing specific penalties against assessors and county commissioners who fail to enforce them. . . . I would also suggest that the law providing for the removal of officers, who have to do with the assessment and collection of taxes, by the court, be so amended that it shall be the duty of the District Attorney, in the name of the territory, to bring action against such officers who fail to perform any of their official duties, including the duty of classifying and assessing property in accordance with the findings of the Board of Equalization, whether upon the affidavit of a taxpayer or not. The Board of Equalization should also have the power to review tax matters in the various counties regardless of whether such matters are brought before them upon appeal as is now provided.

2d: Defects relative to the making of proper returns by the property owner.

The law now provides a penalty for failing to render true lists, but there is great laxity in many parts of the territory in the enforcement of such penalty, and new provisions which would make such enforcement more feasible and make such failure a misdemeanor, would be advisable.

3d: Defects relative to the collection of delinquent taxes. . .

I would recommend, therefore, that the law be so amended as to provide a penalty of one per cent for the first month, two per cent additional for the second month, and for each succeeding month that the taxes remain unpaid. It is generally conceded that the method as now provided by our laws, for the collection through proceedings in court of delinquent taxes in amounts exceeding \$25, is exceedingly cumbersome and unwieldy. I can see no good reason why all delinquent taxes could not be dealt with in a manner similar to that provided by our law for the collection of amounts less than \$25. Such a method has proven very successful in other states, and I would therefore recommend that a law to that effect be passed. . . ."

21 Jan. '07, p.9-13

**h** N. C. Glenn. ". . . The Treasurer also requests that all state taxes be due at the same time, and not at different periods, as now. There no longer exists any reason for making the taxes in tobacco sections due later in the year, and I hope a uniform time will be adopted."

9 Jan. '07, p.8

**i** Tex. Campbell. An honest rendition and assessment of all taxable property; amendments to the gross receipts and intangible tax laws; graduated income tax.

16 Apr. '07, p.7-8

**j** Vt. Bell. ". . . This General Assembly can build for itself no more lasting monument than by placing upon our statute books a law that does away with double taxation. In any sincere attempt in this direction I am sure you will have the hearty cooperation of my successor in office."

4 Oct. '06 p.13

**k** Vt. Proctor. ". . . If with such knowledge as is available you are able to find a solution of this question that bids fair to bring the desired relief, without the creation of other evils, it is most desirable that you do so. But if you find that sufficient data are not available upon which to base this necessary readjustment then I recommend that you provide for the creation of a strong representative commission which shall take up not only the question of double taxation but the whole question of taxation in Vermont and give it a thorough research and study. Such a commission should have the power and authority to collect statistics, examine books and records, and should study the system of taxation in other states. It should be of such a size and character and its research and examination so broad and extended that its findings would carry weight and give promise of a satisfactory solution by the next Legislature."

4 Oct. '06, p.20-21

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- n **W. Va. Dawson.** "Let us consider briefly from what sources additional revenue may be obtained. I suggest: From the increase of license tax on spirituous liquors, beer, etc. . . From a recordation tax, along the lines of a bill prepared by the State Tax Commissioner's office, and introduced into the last Legislature, which proposed that on deeds, contracts, leases and the like, there should be a recordation tax payable by adhesive stamps furnished by the Auditor to the county clerk and attached to the record by the clerk. From restoring at least to the old figures the tax on the premiums of all kinds of insurance companies, including bonding, surety, guaranty, casualty and others. From an increase of the valuation of banks. . . From a progressive inheritance tax along the lines suggested by President Roosevelt, grading tax according to the size of the inheritance received by each heir or other person. From an excise tax, like the Cole law of Ohio, on the gross earnings of all public service corporations, in which I would include all coal mines subject to inspection by the mine inspectors. . . From a tax on the certificates or seals of notaries, justices and other officers authorized to administer oaths or acknowledge papers. . ."

8 Jan. '07, p.19-23

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#### Separation of state and local taxation

- a **Cal. Pardee.** ". . . The conclusion reached by the commission . . . consists in taking for the exclusive use of the state all the taxes to be derived from certain classes of corporations; also the poll tax, inheritance taxes, insurance taxes, franchise taxes, and fees collected by state officers. . . For the support of county, city, town, and other local governments there would be left the entire product of the taxes upon real estate and personal property, which they are now compelled to share with the state government. One of the greatest advantages to accrue from such a division of the different sources of revenue between the state and local governments would be that it would at once end all of the causes of dissatisfaction arising out of the equalization by a state board of the assessments of the different counties. Each county and each city or town could then have a high or a low assessment of property values as might best suit local conditions, without the possibility of doing injustice to other communities. The inauguration of such a system as this can only be accomplished by amendment of the constitution. . . It is proposed to insert the rates of tax in the Constitution, subject to the power of the Legislature to change them once in six years . . . I urge upon the Legislature that it give its serious attention to this subject. . ."

7 Jan. '07, p.5-7

- b **Cal. Gillett.** ". . . Shall we continue the present system, with some amendments, supporting the state by a direct property tax, collected from the several counties, or shall we make radical changes in our revenue laws and separate county and

state by providing that the state shall be supported from sources different than those which support the city and county? If this question were a new one, I would advise that we approach it with great care and caution, but we find that several states have adopted the dual system, and that good results have been accomplished. It is evident that some of the evils existing today by reason of our present revenue laws, can best be remedied by adopting a system already in use in several of the states by separating state and local taxation. This means that the state shall collect its revenues from sources other than a direct levy on real and personal property—of individuals, leaving to the counties and cities the exclusive right to tax such property for local purposes. . . . To bring about this separation it is necessary that the Constitution should be amended, and I advise that a resolution amending it as suggested by the commission, be passed. . . . This system is not an untried one, as it is now in vogue in several of the states, where it has proved to be successful. It is the most modern method in use and the most just. The state, under this system, could derive its revenues, in addition to those collected from present sources, by levying a tax upon the gross earnings of railroads; street railroads; express companies; car companies; light, heat and power companies; telegraph and telephone companies; on the shares of the capital stock of banks, and upon corporate franchises. . . .” 9 Jan. '07, p.7-9

c Fla. Broward. “. . . I am convinced that this lack of equalization in assessments will never be corrected until the subjects of taxation for state and county purposes are separated; and a measure looking to that end should receive your careful consideration at this session. All property which is subject to state taxes should be valued and assessed by the state authorities and an equalization of values and burdens would result, whereas the counties would make such assessment and valuation as would be sufficient and proper to meet their needs. . . .” 2 Apr. '07, p.3-7

d Mo. Folk. “. . . The first step in tax reform should be the separation of the sources of state and local revenue. This can only be effected by a constitutional amendment. . . . I believe the time will soon come when the state can obtain all the revenue necessary for the needs of economic government by taxation on railroads, express companies, insurance companies, telegraph and telephone companies, license tax on corporations, dramshops, and other privileges, thus leaving the real and personal property in the counties free from state taxes. This system would prevent inequality amongst the counties in amounts paid for state tax, which inequality arises from the fact that property must now be assessed at the same value for local purposes as for state purposes, producing different rates of assessment, in order to meet local purposes, and inequality in bearing the burdens of state government. . . .” 2 Jan. '07, p.35-36



## TAXATION

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- c Or. Chamberlain. "As rapidly as conditions will admit, there ought to be a complete divorcement between the system of taxation for state and that for county and municipal purposes. This policy is being adopted in other states, and will doubtless be adopted here as the state advances in population and wealth. . ."

16 Jan. '07, p.5-7

- f Wash. Mead. "In my message to the Ninth Legislature I called attention to the wisdom of framing revenue laws looking to the ultimate separation of the state from the counties in matters of taxation. Since then the Tax Commission has been created and has made an exhaustive study of the subject, the revelations set forth in its report fully supporting this policy. If the taxation of public utilities, excise and license fees, coupled with the earnings of permanent funds, arising from sale and lease of granted lands, would yield to the state sufficient revenue to defray the expenses of state government, then all the real and personal property could be released from this burden and subjected only to taxation for county, municipal and special school district purposes. No incentive would then exist for the different counties to depress their valuations to avoid the state tax. The economy and business ability of each county would then inure to its own benefit."

14 Jan. '07, p.14

- g W. Va. Dawson. ". . . I am so impressed with the propriety of the abolition of the state taxes on property that I would shift some of the burdens from the state government to the county governments if this were necessary to effect that purpose; this shifting would not increase taxes on the people, but would enable us to get rid of the inequality of taxation among the counties. . . I do not think shifting is necessary, as there are sufficient other sources from which the additional revenue can be obtained. It is hoped to see considerable increase the present year in the assessed value of personal property, coming from the increase in the amount of intangible property which will come on the books as a result of the decrease in the rate of levy."

8 Jan. '07, p.23

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### Taxation of personal property

*See also 823, Assessment*

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### Money and securities

*See also 841, Corporation taxes*

- a Ind. Hanly. "Section 8437, Burns' R. S. 1901 provides for the taxation of personal property, mortgaged or pledged, as the property of the person who has the same in possession. The intent of the law is entirely proper, but in practice it results in the sequestration of substantially all notes, bonds, stocks and other securities mortgaged to or placed as collateral with the banks and trust companies of the state. . . But banks and trust companies

are assessed only upon their capital stock, surplus or undivided profits. . . . The abuse can be ended by the simple repeal of this section. . . . The law relating to mortgage exemptions in the assessment of mortgaged real estate has also become the subject of no inconsiderable abuse. Mortgages, fictitious and fraudulent, are made the basis of claims for exemption in many instances. Local boards of review now have no authority to examine into or pass upon these claims. The mere filing of the affidavit with the auditor, setting forth the claim, is sufficient to secure the exemption. The law should be amended so as to require the reference of all such affidavits filed with the auditor to the county assessor, who should be required to examine the same and to refer them, with such recommendation as he may think their merits warrant, to the county board of review, which board should be given full authority to pass upon them and to allow or disallow the claims made by them. . . ."

10 Jan. '07, p.30-31

- b **Minn.** Johnson. ". . . I would suggest a registry tax of, say, one half of 1%, to be paid into the treasury of the county at the time the mortgage is recorded, and a percentage tax not exceeding 10% on the income of the mortgage, to be paid annually. If the mortgage ran to a nonresident of the state, let the tax go into the county treasury of the county in which the mortgage is recorded; if a resident of another county in the state, the tax to be remitted to that county by the county treasurer in which the mortgage is recorded; if the mortgage is between parties in the same county, the tax to be paid into that county. Objection might be raised to this system on the ground that the mortgage might not be recorded at all. This can be obviated by imposing the condition that the failure to comply with the law in both the matter of the registry tax and the payment annually of the income tax on this credit would deny and prohibit process in the court to enforce the collection of either the principal or interest of said mortgage. . . ."

9 Jan. '07, p.6-7

- c **Neb.** Sheldon. "Under the present law real estate that is mortgaged is assessed for taxation purposes at its full value to the owner of the land without any deduction whatever for the amount of the mortgage. In addition to this if a mortgage is held by a resident of the county or of this state the mortgage is also assessed at the full value. There is no good reason why a piece of real estate that is encumbered with a mortgage should be burdened with greater taxation than a piece of real estate of the same character and value that is not mortgaged. Again, under the law if the mortgage is held by a nonresident of the state, and a great many of them are, no tax is levied against it because mortgages are construed to be personal property. Personal property is supposed to be assessed where the owner of the property resides. If domestic mortgages are to be taxed then

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certainly foreign mortgages should be taxed. The sensible thing to do is to tax all mortgages, both foreign and domestic, as an interest in real estate. Being assessed as an interest in real estate they would then be assessed for taxation purposes where the land is and not where the mortgagee lives. The value of the mortgage should then be deducted from the value of the mortgaged estate and the owner of the real estate assessed upon the equity he possesses. . . . 3 Jan. '07, p.38-39

- d Wis. Davidson. ". . . In 1903 . . . the passage of the mortgage exemption law resulted in the lowering of the local assessments of personal property that year by 16%. . . This legislation has entirely failed to meet the expectation of its advocates and the results of its enactment have disproved every argument advanced in favor of the exemption of credits. Its only result has been to exempt the owner of the credit without any corresponding advantage to the borrower. . . It has failed to lower the rate of interest as promised. This is clearly demonstrated by an investigation entered into by the tax commission during the last year of the rate of interest paid upon real estate loans in this state before and after the enactment of this law . . . It appears that the average rate of interest was 5.29% for the three years preceding January 1, 1903; and 5.42% for the three years following July 1, 1903. . . During the same periods it appears that the rate of interest charged by banks upon credits not affected by the terms of that act have been a trifle lower during the later than earlier period. . . It appears from the report that the small borrower, the person who most needs the protection of the law, receives no benefit from the mortgage exemption. Very large mortgages, in sums over \$5000, seem to constitute an exception to the rule. . . I therefore recommend that chapter 378, laws of 1903, be repealed and the law be restored as it was before the enactment of said chapter. In restoring the former law the balance of credits above indebtedness which should be assessable and taxable should include moneys as well as credits." 10 Jan. '07, p.6-12

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### Exemption from general property tax

*See also under special classes of taxes*

- a Neb. Sheldon. "Another amendment that is needed to the revenue law is one that will permit the deduction of bona fide indebtedness. Under the present law a man who is in debt is taxed for all that he possesses and for all that he owes. The debtor class of property holders should not be compelled to bear extraordinary burdens of taxation. Notwithstanding the fact that almost every other state permits the deduction of bona fide debts in some form or another, we are still discriminating against the debtor class which is neither fair, right nor just." 3 Jan. '07, p.39

**812 Charitable, educational and religious institutions and societies**

- a **Ga. Terrell.** "I have frequently urged upon the General Assembly the submission of a constitutional amendment to the people, under which the Legislature would be authorized to relieve college endowments from taxation. . ." 26 June '07, p.21

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**Assessment**

- a **Ga. Terrell.** ". . . Our present laws upon the subject of tax returns are substantially what they were over a century ago, and do not afford as ample machinery for enforcing the ad valorem requirement of the Constitution as the honest and conscientious taxpayer is entitled to receive from the state. . ." 26 June '07, p.7-8
- b **Kan. Hoch.** ". . . I think most of this whole taxation problem could be solved by adding to present laws severe penalties for their violation, including severer penalties for perjury in listing property for taxation, and I recommend that this be done. That the owners of \$140,000,000 should swear that they had but \$5,000,000, and escape taxation and punishment alike, is simply monstrous. . ." 8 Jan. '07, p.5
- c **Minn. Johnson.** "As much of the inequality arising from the application of the tax laws is due to inefficient machinery for assessment, you may find the following change worth your consideration, namely, the abolition of the office of assessor in cities, villages, and towns, and in their place establish either a tax commissioner for the county, or in the larger counties, a tax commission of three or five persons, to be employed annually with a view of the proper listing of property and the better equalization of existing values." 9 Jan. '07, p.13
- d **N.D. Sarles.** "At a meeting of the county auditors recently held, a resolution was adopted favoring county assessors instead of present system. I believe the change would be of great benefit for many reasons." 9 Jan. '07, p.15
- e **S.D. Crawford.** ". . . The Auditor recommends that the Legislature appropriate funds to enable the State Board of Assessment to perform the duty imposed upon it by chapter 40, Session Laws 1905, making it the duty of that board 'to take such means and measures as they shall deem proper and expedient to ascertain, discover and place upon the proper assessment rolls and tax lists all taxable property in any county omitted from such assessment rolls and tax lists or which has been omitted or concealed from assessment,' calling attention to the fact that the Legislature of 1905, which enacted this law, made no provision by appropriation for carrying it into effect. I heartily join in the recommendation of the Auditor." 8 Jan. '07, p.8-9
- f **S.D. Crawford.** ". . . It is a well known fact that local assessors fail to assess moneys and credits and a vast amount of property never goes upon the tax rolls. The poor man whose

only possessions consist of a home, a little household furniture, and a horse or cow, can not hide his property from the assessor, nor does he attempt to do so. The law should be amended in the respects I have pointed out and then enforced. . . The law enacted two years ago, giving the State Board of Assessment authority to take such means and measures as may be necessary to ascertain, discover and place upon the assessment rolls taxable property omitted therefrom or concealed, should be made effective by making an appropriation which would enable this board to employ an agent to go out over the state and make a personal investigation of such cases and report the same to the board. I earnestly recommend this subject to you as one of the greatest importance, demanding effective legislation at your hands. . . "

8 Jan. '07, p.36

- g Tenn.** Patterson. "There is a lack of uniformity in the assessment of property in our state and the Comptroller, in his report, thinks that much of this could be avoided by a county assessor, with such assistance as may be needed, to take the place of the district assessors. I agree with his view on this subject and recommend legislation that will carry it into effect. In my opinion, the creation and retention of back tax assessors has done the state much harm and no good. . . A state auditor could exercise every necessary power the back tax assessors now have, and when there has been no assessment or a fraudulent assessment of property for taxes, this could be corrected by the boards of equalization of the state and counties, by requiring a reassessment, but when an assessment has once been honestly made and the taxes paid, it should be a protection to every man, firm or corporation, and there should be no power in such cases to back assess. The county assessors should be held to a rigid account in making all assessments, and I recommend appropriate legislation to this end."

7 Jan. '07, p.14-15

Recommendation renewed.

1 Apr. '07, p.4-5

- h Tex.** Campbell. For equalization and collection of taxes recommends: penalty for failure to return promissory notes, accounts and other credits; measures for reaching same; measure of indemnity for property taken or destroyed to be the value rendered for taxes; owners to list fire insurance, said insurance to be attached to assessment lists returned to boards of equalization; oath as to correctness of rendition and value of property; oath of assessor as to inspection and valuation of property to be filed with the county clerk; ink or indelible pencil to be used in filling rendition and assessment blanks; oath of members of boards of equalization to assess all property at its real value, said oath to be filed with county clerk; assessment sheets, valuations and memoranda to be delivered to the grand jury which shall find indictments for violations and report to the district judge as to correctness of lists and valuations; any officer on

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failure to perform duties required to be removed at suit of the Attorney General; State Revenue Agent to investigate and report derelictions to the Attorney General. 16 Jan. '07, p.17-22

i U. Cutler. Recommending a resolution providing for the amendment of the state Constitution relative to the rate of state assessment. 11 Feb. '07

j W. Va. Dawson. Increased powers for State Tax Commissioner that all taxable property may be reached. 8 Jan. '07, p.15-17

k W. Va. Dawson. ". . . In order to have uniformity and justice, we must keep up all values to the standard fixed by the law; and in order that this may be done I again invite your attention to what seems a necessity, a state board of assessors. I have discussed this in connection with a corporation commission. The board which assesses the property now assessable by the Board of Public Works should constitute this state board of assessors, whose duty it would be to see that all property was assessed, and all assessed up to the standard. . . I would have assessed by that board all property of such peculiar nature as to require expert knowledge, which expert knowledge we can not expect the county assessors to have, generally. I think it would be better if this state board should assess all banks and banking institutions, building and loan associations, and leaseholds. One of the most difficult kinds of property in this state to assess is undeveloped coal lands. Allow me to urge that you place means at the disposal of the State Tax Commissioner so that he may employ experts to assist the assessors in valuing property of this kind. . . ." 8 Jan. '07, p.17-19

n W. Va. Dawson. ". . . Assessors do not have time, as the law now is, to make a proper assessment. . . A year ago the State Tax Commissioner had an institute of the assessors. The attendance was remarkable and the results were most excellent . . . As far as possible, the assessment in every county should be made by one man, so as to have one standard of value. If he gets all the property of the county 20% too low, nobody in the county is hurt, because it is uniform, and the same remark applies if he gets it 20% too high; but where you have several assessors and one gets the property at 100% of its value, another at 75% of its value, you have a want of uniformity and consequent injustice. I recommend that the assessment year begin on the 1st day of July, that the books be made up and ready for the levying bodies by the middle of June, when they will be required to meet in the preliminary meeting to make off estimates as elsewhere suggested. . . ." 8 Jan. '07, p.24-25

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#### Real estate

a W. Va. Dawson. ". . . It is sometimes said that we ought to treat tenderly unimproved real estate. On the contrary, I think no favor should be shown to that class of property, for

we often see large bodies of valuable timber or mineral land held for speculation, which rapidly increase in value without any effort or expenditure on the part of the owner, but through the thrift and enterprise of other men. The same thing is true of unimproved real estate in the form of town lots in growing cities and towns. . ."

8 Jan. '07, p.28

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### Personal property

- a Ind. Hanly. "The schedule of personal property provided in the present tax law should be so amended as to require every person owning or holding taxable notes, mortgages, bonds, or other securities to write into his return an itemized statement, giving each note, mortgage, bond or other security, with the amount of the claim it evidences and the name of the obligor. Each citizen should also be required to particularly specify in his return all stock he holds in any foreign corporation, giving the amount of each certificate. A large portion of this class of wealth is regularly escaping taxation. Under the form of the present schedule the citizen is simply required to give the gross valuation of all such securities. His statement is usually accepted. If he were required to give the items, with the face value and character of each, the assessing officer would be in a position to intelligently declare their value. Such property represents a form of wealth which has reached enormous proportions, and in fairness and common honesty it should be compelled to bear its share of the cost of administering the government that protects it."

10 Jan. '07, p.31-32

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### Domestic animals

(Taxation and assessment)

- a Mon. Toole. ". . . The law provides for levying a special tax, not exceeding one half of one mill, upon the assessed value of all cattle, horses, mules and asses, to be known as the 'stock indemnity fund.' There is no uniformity in the tax levied. It varies according to the caprice of the commissioners in the several counties, and in some counties no levy is made. . . If a uniform levy of one mill were made and a penalty fixed for a failure to make it, this fund would soon furnish ample money to make proper indemnity."

8 Jan. '07, p.37

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### Review. Equalization. Adjustment

For equalization by states *see also* 800

- a Ala. Comer. "The tax values of the state are very crude, irregular and unequal. Time has shown that it is practically impossible for the tax assessors of the different counties to establish equitable and just values of the properties, and particularly so when it comes to the comparative relations of the different counties in the state. Therefore, I suggest that you establish a

state assessing board, composed of three members, giving them general supervision of the tax assessments of the state, and whose duty it shall be to equalize the values of all property in the state so that the same general relation will be established for assessing tax values on all the property in all of the counties of the state."

15 Jan. '07, p.15

- b **Del. Lea.** ". . . It is a matter of vital importance that the valuation of property should be equalized and made in accordance with a certain fixed and definite rule, thereby making all assessable property contribute its share towards governmental protection. The experience of other states has demonstrated that a board of equalization has afforded the greatest measure of relief from this hardship than any other suggested. I suggest that the final determination of the equalization of assessment should not be left in the hands of any individual or board which expends the funds arising from such assessment and taxation."

1 Jan. '07, p.8

- c **Minn. Johnson.** Equalization of taxes.

9 Jan. '07, p.4-5

- d **N. C. Glenn.** ". . . Require the assessors, as is now the law, to view and inquire into the true value of all the realty in their county, and without letting the owner have any knowledge of what valuation they have affixed, make their report to the Board of Equalization. Then require the list taker, in addition to making every taxpayer list under oath his personalty, also under oath give in all his realty of every description, no matter where situate, as well as his interest in it, with also his estimate of its true money value. That the list taker be allowed to question the taxpayer under oath, or others if he desires it, touching the value of the property given in, and then send his report, with the sworn statement of the owner, to the Board of Equalization. That after the returns of the assessors and list takers have been received, the Board of Equalization, organized as required under section 5239 of the Code, shall examine them, and take any further evidence, oral or otherwise, that they may desire, touching the value of the taxpayer's realty and personalty, and then fix the value of the taxpayer's property. By this plan the Board of Equalization, having before them the valuation as fixed by the assessors, and the owner, and other persons, could scarcely make any mistake in assessing the property at a fair value; and this system being the same in all counties, would necessarily bring about more uniformity. . ."

9 Jan. '07, p.5-7

- e **N. D. Burke.** ". . . I . . . recommend to you the enactment of a law providing severe penalties for the neglect or refusal of assessors to assess property at its actual value, for the neglect or refusal of property owners to list their property with the assessor when called upon to do so, at its actual value, and for the neglect or refusal of any member of a board of equalization to increase the assessed value of any property to its actual



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value. And I further recommend that the board of equalization be given power to subpoena any property owner to appear before such board and to answer upon oath all questions relative to any property owned by him, subject to assessment, and to produce all books and inventories in relation to the same. . . . 9 Jan. '07, p.9

- f S. C. Heywood. ". . . The present laws, if properly enforced, would to a great extent remedy this unsatisfactory condition of affairs. The only change I shall suggest looking toward their enforcement is that the State Board of Equalization be changed, as it is at present too unwieldy. Another objection is that the various members naturally feel that they represent their own counties, and not the state at large. It would be wise, in my opinion, to reduce the membership of the State Board, limiting it to five members, these to be appointed by the Governor and confirmed by the Senate. Two of the members should devote their entire time to this work, and should receive a fixed salary and traveling expenses. These members should visit the various counties, consult with the auditors and local assessing officers, should hear all complaints and should regulate the equalization of all taxable property in the state. . . ." 8 Jan. '07, p.3-4

- g W. Va. Dawson. "The statute allows any of these interests the right of appeal from the assessment of the board to the Circuit Court of the county in which the property is. All the interstate railroads, except the Pennsylvania lines, took advantage of this law. The necessity of amendment of this law is shown by the fact that the Baltimore & Ohio Railroad Company, which was among the appellants, lies in 26 counties, and unless an agreement has been made to the contrary, it would have been necessary to have had 26 different hearings. This fact alone shows the impracticability of the present law and the necessity of a change in it, which I refer to elsewhere. . . ." 8 Jan. '07, p.32-33

- h W. Va. Dawson. "This body [the Board of Public Works] is composed of the Governor, the State Superintendent of Free Schools, the Auditor, the Treasurer, and the Attorney General with the Secretary of State as the secretary. . . . The Board of Public Works has too much work to do to do it well. . . . I have thought a great deal about how to relieve the board and at the same time not create any new offices, and with a minimum extra expense to the state. It has occurred to me that what I have called the railroad commission, might be called the corporation commission, and in addition to the powers that will be given to it as a railroad commission, also put upon it the duty of assessing the property that the board of public works is now required to assess, and also to make of it in connection with the State Tax Commissioner a state board of assessors. . . . I suppose that the three men who would constitute the railroad commission

would have time enough to perform these extra labors that I have indicated; and if so, I recommend that the Board of Public Works be relieved in the manner indicated, and let it be an appellate body. Instead of appeals being from the state assessing board to the Circuit Courts, let the appeal be to the Board of Public Works, with the further right of appealing to the Supreme Court of Appeals on any question of law involved, but not upon a question of valuation. The courts are not the proper tribunals to assess the value of property. . . ."

8 Jan. '07, p.40-42

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### Collection

- a **Neb. Sheldon.** ". . . The citizens of Nebraska can not enjoin the collection of a tax levied against their property, because they are denied that privilege. But railroads, being nonresidents of the state seek relief through the federal courts. Until Congress shall pass a law depriving them of this privilege they probably will continue this practice. It is, therefore, recommended that a joint resolution be passed memorializing Congress to pass a law that will deprive a nonresident from enjoining the collection of a tax levied upon property within the state. . . ."

3 Jan. '07, p.39-40

- b **W. Va. Dawson.** "The sheriff should collect all taxes levied on property, except such as is payable directly to the Auditor and the capitation taxes collectible by the assessors. He should collect all property tax levied for state, county, district and municipal purposes, and the collection of municipal taxes by city collectors should be abolished. There are two good reasons why this should be done. The first reason is because it would be more economical, for one man can collect the taxes cheaper than two men. The second reason is that it would be less annoyance to the taxpayer. . . ."

8 Jan. '07, p.27-28

### 829 Delinquent taxes. Tax sales. Redemption

- a **Minn. Johnson.** ". . . The Legislature should . . . authorize collection by the state of interest on back taxes of all corporate companies. Such interest penalties, moreover, will have a beneficial effect in causing such corporations to be cautious in the matter of allowing their taxes to become delinquent."

9 Jan. '07, p.15-16

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### Income tax

- a **Minn. Johnson.** ". . . I would call your attention to the inefficiency of the present personal tax system and the necessity of consideration of providing for some reasonable method of the taxation of credits generally, including stocks and bonds and moneys, all of which are presumed under our present law to bear a proportion of the burden of taxation, but which have almost entirely escaped this burden. . . . Various suggestions have been

made as to the best method of reaching this class of property, and some students of taxation have recommended a graduated income tax. If this is attempted it should be approached very cautiously because of the fact that under any system of taxing incomes, reliance would have to be largely upon the statement of the person taxed, and even under the most rigid and honest administration of the law there would be the usual evasion by false returns and thus be a fruitful source of perjury, result finally in a system that would be unequal in its operation, and bear more heavily upon the honest than the dishonest. However, the subject of a graduated income tax is worthy of your most careful and honest consideration." 9 Jan. '07, p.16

- b Or. Chamberlain. "Another mode of taxation which should be resorted to is that of a graduated income tax. There could be no constitutional objection to it, nor could there be any injustice in levying a reasonable rate upon all incomes, ranging from say \$3000 upwards, increasing the rate as the income increases. . . ." 16 Jan. '07, p.9

- c Tex. Campbell. "A graduated income tax upon all annual incomes with appropriate exemptions should be provided and your careful consideration of this subject is suggested. I regard this principal of taxation as sound and altogether just. The revenue derived from this source should be apportioned three fourths to general revenue and one fourth to the available school funds." 16 Jan. '07, p.22

Recommendation renewed.

- d U. S. Roosevelt. ". . . An income tax stands on an entirely different footing from an inheritance tax; because it involves no question of the perpetuation of fortunes swollen to an unhealthy size. The question is in its essence a question of the proper adjustment of burdens to benefits. . . The first purely income tax law was passed by the Congress in 1861, but the most important law dealing with the subject was that of 1894. This the court held to be unconstitutional. . . It is the law of the land, and of course is accepted as such and loyally obeyed by all good citizens. Nevertheless, the hesitation evidently felt by the court as a whole in coming to a conclusion, when considered together with the previous decisions on the subject, may perhaps indicate the possibility of devising a constitutional income tax law which shall substantially accomplish the results aimed at. . . ." 16 Apr. '07, p.8

- e W. Va. Dawson. ". . . It seems to be self-evident that the principle of the income tax is the just one as regards ordinary taxation, and the only just one. I hope the day is not far distant when we shall have no other form of taxation in this state except certain excise and license taxes. The new basis of value, that is, the true and actual or market value, involves the principle of the income tax. The market value of property, if not wholly, 3 Dec. '06, p.24

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at least is very largely determined by the earning capacity of the property, or perhaps it is more accurate to say, what the property will earn. . . ."

8 Jan. '07, p.30-31

- f **Wis. Davidson.** "I wish to urge upon the Legislature the importance of the constitutional amendment providing for an income tax. . . . The income tax should aim to reach such property as otherwise escapes, and to compel contribution to the public funds from those who are best able to pay them. . . ."

10 Jan. '07, p.12

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## Poll taxes

*See also 132, Suffrage; 814, Exemption from taxation*

- a **W. Va. Dawson.** ". . . The Assessor should be required to report monthly to the Auditor during the time which he is authorized to collect these [capitation] taxes, of the amount collected, and to pay the same directly into the state treasury. There is no reason why he should pay this money to the sheriff, and that the sheriff should be paid a commission for receiving it. The assessor should be required to make a final report to the County Court when he returns his books, or some other time, of all delinquencies, and these should be placed in the hands of the sheriff or other collector or collectors, for collection, and part of the cost of making collection of these delinquencies should be charged up to the assessor who failed to collect them."

8 Jan. '07, p.27

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## Business taxes. Revenue, license or privilege taxes

*See also 907, Liquor licenses; 1532, Regulation and licensing of trades and occupations*

- a **Mon. Toole.** "There is a consensus of opinion that the occupation license tax, except liquor licenses, should be repealed whenever the assessable value of property in this state reaches an amount which with other sources of revenue will be adequate for the maintenance of the state government. That time, however, in my opinion has not yet arrived. . . . The state now receives 45% of licenses, which goes to the general fund and 5% to the bounty fund. If the counties are in condition to dispense with the revenues arising from this source and are willing to do so, I suggest that this license tax, except for sale of liquors, be reduced 50% and that the whole of such revenues go into the general fund of the state. This would be a good beginning, and licenses might soon be dispensed with entirely. . . ."

8 Jan. '07, p.27

- b **N. C. Glenn.** ". . . As to what has been said in regard to want of uniformity in both realty and personalty, the same can be added as to the violation of the Constitution as to returns on privileged taxes. To illustrate: One county returns a large

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amount collected from horse dealers, peddlers, etc.; another returns nothing, and yet perhaps the latter county has been the resort of more horsemen and peddlers than the one paying the tax. The Treasurer suggests that he has no machinery and not sufficient knowledge of what is going on in the different counties to properly collect this tax, but that the sheriff of each county be required to collect all special taxes for the state, receiving commissions for so doing, as in case of other taxes. This would make the sheriffs more alert, and the amount saved by the change would be greatly in excess of what we now collect. I indorse the Treasurer's suggestion most heartily. . . . 9 Jan. '07, p.7-8

- c **Tenn. Patterson.** ". . . I recommend that no attempt be made to increase the tax on land, for it already pays its full, and probably more than its full, proportion of the public burden. . . . I recommend that you give close scrutiny to the matter of assessing privilege taxes with a view of seeing whether they are uniform, as they could be, or so devised as to give exemption in whole or in part to any occupation of the individual, or to any corporation doing business in this state and subject to the tax."

7 Jan. '07, p.19-20

- d **Tex. Campbell.** "The removal of the occupation tax upon all useful occupations will materially reduce the income for general revenue and school purposes, and this loss can be justly met by an increase of occupation taxes upon occupations other than those classed by the Legislature as useful, and a further increase of all franchise taxes, and this action is respectfully recommended."

16 Jan. '07, p.22

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### Inheritance taxes

- a **Ind. Hanly.** "I am thoroughly convinced of the necessity and the justness of a law which shall provide for the taxation of the devolution or succession of property by devise or inheritance. . . . The rate should be progressive, increasing with the value of the inheritance, and as to collateral heirs, it should run from 5 to 25%. . . . France derives \$40,000,000 a year from this source, or 6% of its entire national revenue. Great Britain receives from this source \$70,000,000, or 10% of its revenues. In eleven months of the year just past Louisiana received \$86,655 from this tax; Vermont, \$40,581; Colorado, \$51,236; Maine, \$70,000; Iowa, \$190,748; Minnesota, \$159,455; Missouri, \$212,814; Wisconsin, \$103,917; Massachusetts, \$712,720; Illinois, in the two years last past, \$1,376,264; Pennsylvania in 1895, \$1,677,185. . . ."

10 Jan. '07, p.58-61

- b **Ia. Cummins.** ". . . The propriety of levying also a direct inheritance tax may well engage your attention. I do not look upon a tax of that character as a method for the reduction of swollen fortunes. I view it solely as another effort to equalize the burdens of society. It ought not to be levied upon small inheritances; but after the proper limit is passed, there is no reason

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which justifies a collateral inheritance tax which will not also vindicate one upon direct inheritances. . .” 14 Jan. '07, p.13

- c **Mass. Guild.** “. . . I believe the time has come when the increasing needs of our treasury demand a graduated tax on direct inheritances. . .” 3 Jan. '07, p.11-12

- d **Or. Chamberlain.** “. . . The tax should be graduated and increased as the inheritance increases, applying the same rule to lineal as to collateral kindred. . . The system of taxing inheritances which I propose is constitutional, and is certainly most just, and a proper adjustment of it in this and in other states must be the solution of the gradual absorption of the wealth of the country in the hands of a few. . . In this connection your attention is called to the fact that through the incorporation of large estates, and the distribution of the stock prior to the death of the ancestor, the inheritance tax law even as it stands is likely to be avoided, and provision should be made to prevent this evasion. . .” 16 Jan. '07, p.7-8

- e **U. S. Roosevelt.** “. . . I feel that in the near future our national legislators should enact a law providing for a graduated inheritance tax. . . In any event, in my judgment the pro rata of the tax should increase very heavily with the increase of the amount left to any one individual after a certain point has been reached. It is most desirable to encourage thrift and ambition, and a potent source of thrift and ambition is the desire on the part of the breadwinner to leave his children well off. This object can be attained by making the tax very small on moderate amounts of property left; because the prime object should be to put a constantly increasing burden on the inheritance of those swollen fortunes which it is certainly of no benefit to this country to perpetuate.” 3 Dec. '06, p.22-24

- f **Wis. Davidson.** “The inheritance tax law, as passed in 1903, has already proved to be a most fruitful source of state revenue. During the fiscal year 1906 there was collected under this law \$220,919.54, and the income from this source is constantly growing. . . I recommend that the administration of the inheritance tax law be transferred to [the Tax] Commission. . . The state should be represented by an attorney at County Courts when estates subject to this law are in process of administration.” 10 Jan. '07, p.12-13

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## Corporation taxes

Including taxation by general property tax

- a **Ala. Comer.** “I recommend that railroad properties and the properties of other public service corporations in this state shall be assessed for taxation at a valuation in proportion to the valuation they give in for the purpose of fixing freight rates and charges on the people of the state. I recommend that franchises, which have a money value, shall be classed as any other property

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- in the state, and shall be valued as any other property in the state and pay taxes." 15 Jan. '07, p.15
- b **Fla. Broward.** ". . . I . . . urge that a law be enacted making franchises taxable at their real value, and taxed as other property, either together with the tangible property used in connection with the franchise, or separately." 2 Apr. '07, p.12-16
- c **Ia. Cummins.** "It is believed by many of the most thoughtful students of governmental affairs that the time has come for an annual franchise corporation tax. I concur in that belief. . . ." 14 Jan. '07, p.19
- d **Mass. Guild.** ". . . The commonwealth has been steadily deprived of its legitimate revenue for the benefit of local purposes. The whole corporation tax, both by theory and precedent, belongs to the state. Nearly the whole is now returned to cities and towns, and it is a well known fact that in many instances the revenue received by certain localities from the commonwealth on this account actually exceeds the amount paid by these localities towards the expenses of the commonwealth as their proportion of the direct state tax. As long as any of this tax is diverted from the state treasury, where it belongs, to town and city treasuries, there will be local disputes as to the method of distribution." 3 Jan. '07, p.8-9
- e **Or. Chamberlain.** "The burden of taxation has in the past fallen in the main upon real property, whilst personal property of every kind, public service and other corporations have not contributed their just proportion to the burdens of government, and laws ought to be enacted that will reach all of this class of property which now practically escapes taxation." 16 Jan. '07, p.7
- f **U. Cutler.** Transmitting suggestions as to the more equitable taxation of certain companies. 5 Feb. '07

## 842 Incorporation and license fees and taxes

*See also 500, Corporations*

- a **Id. Gooding.** "I find on investigation that the fees paid to the Secretary of State for the filing of articles of incorporation are much less than in other states. The revenues of the state can be largely augmented by increasing the size of these fees. I also find that in other states a yearly tax is levied on corporations, besides the tax on the corporation's property. This is the practice in many of the older states of the Union. In my judgment, this matter should receive careful attention, and if it is found that the passage of a law levying a graduated tax upon corporations, as a form of license, would work beneficially, such a measure should be passed." 8 Jan. '07, p.27-28
- b **Minn. Johnson.** "Your attention is likewise respectfully called to the following resolution of the State Board of Equaliza-

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tion . . . with the spirit of which I heartily concur: Resolved, by the State Board of Equalization, that the Governor is respectfully requested to ask for the passage of a law by the next Legislature fixing an annual license fee of say \$10 for each and every corporation, whether local or foreign, doing business in the state of Minnesota, with a proviso that in the case of failure to pay said annual fee, the offending corporation be barred from the courts of this state, and their charter be considered annulled, said license fee when paid to be accompanied by the address of the principal office, the name of the officers and the amount of capital paid in of said corporation. . . . 9 Jan. '07, p.16-17

- c S. D. Elrod. "However, I think a law should be passed to impose taxes upon corporations, associations and joint stock companies, chartered or incorporated under the laws of any other state, for the privilege of coming into this state for the purpose of doing business here; provided it is found to be within legislative control in the exercise of its police power. If such an act is passed, it should provide for the collection of said taxes and the payment thereof into the state treasury. . . ." 8 Jan. '07, p.35-36

- d Wash. Mead. "The state suffers a great loss in its revenues by reason of the failure to collect from corporations a large portion of the annual license fees. This fee is a first lien upon the corporate assets and its payment should be speedily enforced. There is no reason why it should not be collected as expeditiously as are general taxes levied upon personal property. Provision should be made for the collection of this tax immediately after it becomes due, with the costs of suit chargeable to delinquent corporations. If the assets of the corporation should prove insufficient to meet the tax and costs, then it should be dissolved by judicial decree. . . . The fee for incorporating and the annual license thereafter are very small as compared with other states, and it is believed that they could be increased to \$25 without injury to existing corporations or without deterring the formation of new ones. This increase would add at least \$150,000 annually to the state's revenues, and to that extent would relieve the burden of general taxation." 14 Jan. '07, p.12-13

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### Banking institutions

*See also 1679, Banking*

- a Ind. Hanly. ". . . Under the present law the valuation of banks, state and national, and of trust companies is made by local authorities. From wide observation and information I am prepared to say to you that there is no other class of property in the state so unequally valued. In some counties these institutions are assessed as low as 60% of the amount of their capital, surplus or undivided profits. Having in view the equality of



valuation as a fundamental principal of just taxation, I recommend that all banks, state, national and private, and all trust companies be required to file their reports for taxation with the Auditor of State and that the State Board of Tax Commissioners be authorized to make the valuation of all such institutions. . . There should be legislation providing that the capital invested in any private bank shall be divided into shares of \$100 each, and that such shares be returned for valuation and assessment in the same manner the shares of stock of incorporated banks are returned for valuation and assessment. An act providing for the valuation and assessment of the shares of capital or capital stock of all banks, private, state and national, and of all trust companies, should receive your early consideration. Such legislation should provide a method of ascertaining the actual value of the shares of capital invested, or of the shares of capital stock, by taking into consideration the market value thereof as disclosed by the usual selling price at private sale in the place where the institution is located; the dividends paid, if any; the surplus or individual or undivided profits, if any. . ."

10 Jan. '07, p.29-30

- b** **Vt. Proctor.** "Some national banks in the state run in effect a savings bank department and pay interest on certain time deposits. To the extent this is done the state receives no revenue thereon and it is doubtful whether such deposits generally get into the grand list of the towns. Some means should be devised to secure proper taxation of such savings deposits, because they should bear taxation equally with other savings deposits and because also without it national banks are enjoying a preference in a business, which does not properly appertain to them, over institutions which are especially created by the state for that purpose. If such deposits in national banks can not be taxed directly by the state, and probably they can not be, I recommend that provision be made for requiring national banks to disclose the names of their savings depositors and the amounts of such deposits in order that they may be properly taxed in their respective towns. There are decisions of the courts sustaining the right of a state to do this."

4 Oct. '06, p.20

- c** **W. Va. Dawson.** "The law concerning the taxation of banks needs amendment. The alternative provision should be stricken out, and there should be but one way to assess their property. They should be assessed according to their capital stock, surplus and undivided profits, as that is a very good index of their earning power, and a proper basis of the market value of the shares of stock. I think the assessment would be better done if the banks were assessed by the board of public works or other state board. The present law operates to the disadvantage of the state banks. . . If you change the law so as to base the taxation of all banks on the shares of stock, which the national laws

will allow you to do, you will have a method which will be fair to both kinds of banks, and prevent discrimination. . . There is no good reason why the real estate that a bank owns should be assessed as real estate, and put on a separate book. . . If all the value that the bank owns, whether real estate or personal property, is assessed, it does not matter for taxation purposes whether it is called real estate or personal property, or whether it is entered in one book or two books. . ." 8 Jan. '07, p.26-27

**845      Transportation and transmission  
                 corporations**

*See also 1200, Transportation; 1283, Exemption of railroads*

- a      **Ala.** Comer. Recommends authority be given Railroad Commission to ascertain true value of property of railroads.

15 Jan. '07, p.9-10

- b      **Ill.** Deneen. "In my judgment, the interests of the state imperatively demand that a uniform rule for the division of freight and passenger earnings between the charter lines and the other lines and branches constituting the present system of the Illinois Central Railroad Company should be definitely fixed, and the rights of the state, as well as those of the company, under the charter, be determined and settled. I am advised by the Attorney General that no power exists either in the executive or legislative branches of the state government, to compromise any claim which the state has or may have under the charter against the Illinois Central Railroad Company. The questions, therefore, must be submitted to the courts for determination, and with this end in view, the Attorney General is now engaged in the preparation of a suit. . . The preparation and trial of this suit, embracing as it must an accounting between the charter lines and some fifty different branches extending over a series of years, will involve a vast amount of labor and investigation and a large amount of necessary expense. It will be necessary to employ a large force of accountants as well as clerks, special investigators and railroad experts. I am advised by the Attorney General that special attorneys may be required by him, as his entire force of assistants is at all times needed to attend to the general public business of his office. . . I, therefore, recommend that an emergency appropriation of \$100,000 be made to the Governor and an emergency appropriation of \$50,000 be made to the Attorney General for the purpose of the preparation and trial of said suit."

10 Jan. '07, p.12-13

- c      **Ia.** Cummins. "The 28th General Assembly passed an act providing for the taxation of the property of express companies, which the Executive Council has, since its passage, been attempting to apply. The object of the statute is to ascertain a taxable mileage value of all the routes of a given express company, and then take the proportion in this state as a basis for taxation within

the state. Unquestionably, the General Assembly had in mind the ordinary railway lines over which express companies do their business on land. The fact is, however, that some of the express companies have ocean routes, of tremendous distances but of little value, and it is contended, year after year, that in ascertaining the value of the routes in Iowa the council must take into consideration the ocean lines as well as the land lines. To do so would be to reduce the taxable value of the lines in Iowa to an absurd point, but the letter of the law gives some strength to the argument. I recommend a careful revision of this statute, so that all doubt respecting its interpretation will be removed, and a fair valuation clearly imposed. . . I recommend the passage of a law that will set up the same criterion for telegraph property that you have established for express property."

14 Jan. '07, p.25-26

- d **Mich. Warner.** "I concur in the recommendation of the State Tax Commission that the law governing the taxation of express companies be amended so as to eliminate from the computation on which the tax is based the ocean mileage of these companies. The inclusion of this mileage renders the result little less than farcical. . . The satisfactory operation of the ad valorem system of assessing railroad property suggests the desirability of extending this system so as to include the property of telegraph and telephone companies. The present method of taxing the latter corporations is uncertain and unsatisfactory. . ."

3 Jan. '07, p.17

- e **Minn. Johnson.** "I desire to call your attention especially to the necessity of changing the present law with regard to the taxation of sleeping car companies. Our statute now provides that annually on or before May 1, every sleeping car company shall make to the State Auditor a report on its gross receipts during the preceding calendar year, for fares between points within this state. That is, beginning at a point within this state, and terminating at another point within this state, which report shall be verified by some proper agent or officer of such company having official knowledge of the facts, and that upon such report the company shall pay to the State Treasurer a tax of 3% upon such gross earnings which shall be in lieu of all other taxes. Under this statute, the company has paid a very small tax, wholly out of proportion to its earnings within the state, and not in the same proportion as other corporations paying on a gross earning basis. It is a well known fact that sleeping car companies evade the spirit of this law. For instance, buying a sleeper ticket from St Paul to Crookston, the passenger is supplied with a ticket to Grand Forks, N. D. If the destination is Moorhead, within our own state, the ticket is sold to Fargo, without the state. This same rule has applied to all points near the border of any other state, so that the business of the company

has been very slight locally and very largely an interstate business. Upon all business to remote points, such as Portland, Seattle, Chicago, and elsewhere, the state has received no tax. The present statute covering this question is an absurdity and should be changed at once. The sleeping car companies should be required and compelled to report all of their business, local and interstate, and be compelled to pay in proportion on the same general basis applied to railroad companies, and the tax should be increased to 4% at least; or, we should adopt the excise tax plan now in use in the state of Ohio, which in substance requires the sleeping car companies to file a complete statement of the condition of their company, giving the par and market value of their stocks and bonds, and all other information designed to determine the actual value of the property and franchises of the corporation, and to levy a tax in proportion to the volume of business and earnings within the state." 9 Jan. '07, p.13-14

- f **Minn. Johnson.** "I desire also to call your attention to the necessity of amending the tax laws so far as they relate to telephone companies. Under our present statute telephone companies are taxed on their gross earnings derived from business within this state, which shall be in lieu of all other taxes and assessments upon such company and its capital, the same to be paid into the state treasury on or before January 1 in each year. The law, however, imposes no penalty for the failure to pay said tax, the state being required to bring suit to recover the same. There certainly is no reason why an exception should be made of any public service corporation, and this class of property should be treated in the same manner as all other property, and the imposition of a penalty in the failure to pay taxes, as required by law, would relieve the state of unnecessary litigation and would not deprive the state of the use of the money. Then, too, these, and all other public service corporations which now pay taxes on earnings wholly within the state, should be required to pay pro rata on all interstate business as well. The law at the present time on this particular feature of the question is somewhat ambiguous, and the term 'gross earnings' does not explicitly state that interstate revenue shall be included as a basis of arriving at the taxable value of the property." 9 Jan. '07, p.14

- g **Minn. Johnson.** "Your attention is directed to the feasibility and propriety of making a change in the matter of the taxation of express companies. Our statute now provides for the taxation of express companies, based on 6% of the receipts on business done between points in the state, after deducting the amounts paid to railroads for the transportation of freight within the state. This practically makes the rate of taxation of express companies 3%, as the railroads are paid about 50% of the revenue. Express companies do not include any proportion of the earnings or receipts on interstate business; that is, business which originates

in and terminates outside of Minnesota, and vice versa, and business passing through the state. . . I believe it would be more practical to take the total earnings of the express companies and ascertain Minnesota's proportion of such revenue for taxation purposes based on the ratio of mileage in Minnesota of such express companies, which the mileage bears to the total operated mileage; or, in lieu of some such provision, adopt the excise plan obtaining in the state of Ohio with relation to sleeping car companies, to which reference has already been made."

9 Jan. '07, p.14-15

- h Minn. Johnson.** "I would also suggest a change in the present law so far as it relates to the payment of railway taxes. Our law now provides for the payment of aid to high schools, graded, semigraded and rural schools to the extent of \$530,000 annually, and provides that this should be paid to the various districts in October of each year. This payment is in advance of the appropriation reaching the treasury department, and compels overdrafts, or the borrowing of money for this purpose, and thus creates a deficit in the state revenue fund each year. This deficit could be avoided in a large measure, if not altogether, by an amendment to the gross earnings act, so as to provide for the payment of railroad taxes semiannually, requiring railroads to pay a fixed portion of their gross earnings tax on or before September 30 of each year, and the remainder on or before February 28, following."

9 Jan. '07, p.15

- i Neb. Mickey.** ". . . A needed amendment [to the new revenue law], however, is one which will require the railroads to report to the State Board of Equalization and Assessments the actual amount of earnings of each road within the state as one of the bases of assessment. Freight rates in Nebraska are considerably higher than in the states to the east, and yet the earnings of the roads doing an interstate business are reported to the several states in the ratio which the total mileage bears to the mileage within each state. This is a manifest injustice to Nebraska. If the railroads persist in charging our people higher rates than they do the people of Iowa and Illinois, then the earnings reported to our State Board should be correspondingly larger and the assessment should be affected accordingly. . ."

3 Jan. '07, p.4-5

- j Neb. Sheldon.** ". . . Railroads which operate branch lines in Nebraska should be compelled to furnish for each and every branch line an itemized statement in detail of all the business transactions of the several lines, together with the value of the stocks and bonds of each line and the gross and net earnings of each. It is sincerely hoped that this Legislature will amend the revenue law in this respect. . ."

3 Jan. '07, p.40-41

- k N. Y. Hughes.** Recommends that street and highway crossings be included in the term "special franchise."

4 June '07

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- n **N. C. Glenn.** ". . . Railroads, like individuals, should be required to pay taxes on all their property at a fair valuation, and not be allowed to rate their property at a high value when borrowing money and at a very low rate when paying taxes, as most of them now do." 9 Jan. '07, p.8-9
- p **N. D. Burke.** ". . . There is a general feeling throughout the state that the railroads are not paying their just and proportionate share of the burden of taxation. Railroad property should be assessed upon the same basis as other property of the individual. There is only one way to assess property so that the burden may fall alike upon all, and this one way is by assessing it at its actual value. . . ." 9 Jan. '07, p.8
- q **N. D. Burke.** "I recommend . . . that the State Board of Equalization be given the fullest power to inquire into the value of railroads in this state by subpoenaing the officers of said roads to appear before said board and furnish information upon oath concerning the value of railroad property, and the said railroad companies should, upon notice, furnish to the Board of Equalization all books and records. . . ." 9 Jan. '07, p.9
- r **S. D. Crawford.** ". . . The State Board levies all the tax which is at all levied upon the property of telegraph, telephone, express and sleeping car companies in the state. The statute says that the tax so levied shall be equal to the average assessment of the state, county, school and municipal taxes levied upon other property for the preceding year, and shall be apportioned by the State Treasurer between the state and the various counties in which the company so assessed is doing business, the amount to which each county is entitled being determined by the State Board of Equalization. The statute does not authorize the board to include the average equivalent of the road tax levied upon other property the preceding year. At this time, when a cry is coming up from all over the state for better roads, these corporations are enjoying absolute immunity from road taxes. . . It should be made the duty of the Board of Railroad Commissioners to employ experts for the purpose and to collect authentic and reliable information concerning the actual value of the railway properties in the state, not only for the purpose of making the same a basis for rate schedules, but for the purpose also of giving the State Board of Assessment some independent and reliable information of the real value of these properties. . . ." 8 Jan. '07, p.36
- s **Tex. Campbell.** Recommends a State Tax Board, consisting of the Governor, Attorney General and chairman of the Railroad Commission, to assess railroads. 16 Jan. '07, p.22
- t **U. Cutler.** "Express companies and electric light and power companies, like the telephone and telegraph companies, as a rule have property in two or more counties of the state. The law

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should be so amended as to place the power of assessing these companies in the hands of the State Board of Equalization. . ."

15 Jan. '07, p.6-7

- u U. Cutler. Requiring the Secretary of the State Board of Equalization to furnish a bond in the collection of car company taxes.

14 Mar. '07

- v Vt. Proctor. ". . . The rate of seven tenths of 1% upon their appraisal was increased in 1904 to 1%. As the railroad companies have, with minor exceptions, continued to pay upon the basis of their gross earnings this has undoubtedly been less than 1% on an appraisal of their property. While railroads, therefore, are paying a tax of less than 1% on the appraisal of their property the average tax rate throughout the state is about 1.6%. . . It has been and should be the policy of Vermont to treat our railroad corporations fairly and with every consideration. We should take into account the natural conditions with which they have to contend in this state and the fact that they are contributing much to its welfare and upbuilding. However, they should bear their fair proportion of the burden of taxation and in equal justice to all interests in the state should pay an increased tax."

4 Oct. '06, p.18-19

- w W. Va. Dawson. Taxation of toll bridges.

8 Jan. '07, p.25

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## Mining

- a Ari. Kibbey. ". . . Some amendments of the existing law would enable assessors to assess and the local boards of equalization and the Territorial Board of Equalization to properly equalize the assessments of the mines by methods which could not be fairly criticized. If required to make two classifications of mines—classifying them as 'producing' and 'nonproducing'—county assessors, if at all intelligent, and attentive to their duty, would not value a nonproducing mine on an equality with a producing mine, as has been practically the rule. . . Apart from the present law, probably an effective method of taxing a mine would be to fix its value by the market value of the ore extracted therefrom, the value of the ore extracted each year to be taken as the valuation of the mine for that year. . ."

22 Jan. '07, p.25-38

- b Ari. Kibbey. "One of my objections to Council bill no. 45 is, therefore, that it is unfair, unjust and unequal to apply the rule of fixing the valuation of mines by taking one fifth of their annual product as their value unless the same rule is applied to all other kinds of property—the establishment of different rules makes equality impossible. I have the further objection that even as among producing mines the rule laid down in that bill will inevitably work gross inequality. I need not more than suggest to you that a mine yielding 3% copper ore is not worth nearly one half

as much as one that yields 6% copper ore even if all other things were equal and the gross bullion output be identically the same. . .

1st. It does not provide for the taxation of a mine the owner or operator of which does not reduce the ore to bullion. . .

2d. Again, I object to it because it exempts from taxation the machinery and other improvements on producing mines used in mining. . .

3d. I further object to the bill because it provides no penalty in the event the mine owner makes no statement as required by section 2 of the act. . ."

1 Mar. '07, p.6-16

- c **Minn. Johnson.** "Under the new constitutional amendment it is within your power, as it is your duty, to provide some system of taxation which will give the state at least an approximately fair share of its just revenue income from this great iron ore wealth. One step in the right direction, it occurs to me, would be an income tax on the royalties or mineral rights; which are now listed for taxation. . . This tax on mine royalties, however, would not reach the large fee holders, like the United States Steel Corporation, who operate their own fee properties. The royalty value enjoyed from the use of such properties operated by the holding company is as great as from the leased properties, and the tax should, if possible, reach such royalty values as well as the royalties based on lease. . . I believe that at this session of the Legislature changes can be made in our tax laws which will substantially provide for the expenses of state government by this form of taxation; and when this can be done, taxation would be entirely left, as it ought to be, to the local governments for their self-control."

9 Jan. '07, p.11-13

- d **U. Cutler.** "In view of the fact that the law giving the Board [of Equalization] power to tax the net proceeds of mines has been declared unconstitutional, I ask that you consider the advisability of passing a resolution to submit to the people of the state an amendment to the Constitution giving the Legislature power to authorize the Board of Equalization to tax the net proceeds of mines. I would suggest that an appropriate committee be empowered to consider this matter."

15 Jan. '07, p.7

## Budget

*See also 2575, Local finance*

- a **Fla. Broward.** ". . . Do not delay the preparation and consideration of the various appropriation and revenue bills concerning this most important matter until the work of the closing days of the session will prevent its proper and careful consideration. The receipts of the state of Florida from various sources, by failure to pass important legislation upon the subjects at the last session, were decreased several thousand dollars, and this failure was caused by delay of the Legislature in the consideration of these important matters. . ."

2 Apr. '07, p.2-3



## ACCOUNTS

### 851 **Appropriation. Limit of expenditure**

- a **Neb. Mickey.** "I especially enjoin upon you that you see that all appropriations made for the institutions and for the various executive departments are specific and clearly defined. Not infrequently appropriations have been juggled with in the past and have been made to apply to expenditures which the Legislature never contemplated. . . ." 3 Jan. '07, p.13

### 852 **Governor's contingent fund**

- a **S. D. Crawford.** Denounces Governor's contingent fund and asks that appropriations for Governor's use be made for specific purposes. 8 Jan. '07, p.13-16

### 853 **Accounts. Methods generally. Collection of moneys. Warrants**

*See also 2575, Local finance*

- a **Or. Chamberlain.** Renews recommendations for creation of office of expert accountant to plan uniform system of bookkeeping for state and county offices. 16 Jan. '07, p.23
- b **Tenn. Patterson.** "The Auditor should be required and given the power to institute a uniform system of bookkeeping in all offices handling state revenue, so that each officer of the same class throughout the state will use the same system. . . ." 7 Jan. '07, p.15
- c **Vt. Proctor.** ". . . I recommend that in conjunction with the efficient present State Auditor this matter be given a thorough investigation during the present session, that the system prevailing in other states about our size be considered, that, if necessary, expert accountants be employed to advise with respect to a uniform system of bookkeeping and returns for the state, and that the whole clerical side of the Auditor's office be put upon the best up to date business principles. Some uniform system of municipal accounting should also be worked out in the same connection. I would go no farther nor make any greater expense than any private business concern would incur doing as large a business as the state of Vermont, scattered over so much territory and transacted through so many individuals and institutions; but I do not believe that the state can afford to do less. . . ." 4 Oct. '06, p.12-14
- d **Wash. Mead.** "Methods of handling state public funds should be devised to insure a systematic and effective check on every state official who performs the duty of collecting moneys. Under the present system no check is kept on collections made by any officer other than the account kept by the officer charged with the duty of receiving such funds. Large amounts accumulate and

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occasionally a balance exists in excess of the amount of the bond required of the officer. Such a system is fraught with danger to the security of the public funds. . . ." 14 Jan. '07, p.11-12

- e **W. Va. Dawson.** ". . . Every officer who receives fees for his own purpose should be required to make a monthly report thereof. All district and county officers should be required to report monthly to the clerk of the County Court and that officer to the clerk of the Circuit Court, and these should be reported annually by the clerk of the County Court to the Auditor. These reports in the county offices, of course, would be open to the inspection of any citizen. . . ." 8 Jan. '07, p.81-82

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#### Collection of state claims and revenue

- a **N. J. Stokes.** ". . . I have had a bill prepared for submission to the Legislature with this end in view. This measure, if it becomes a law, will make the offices of Treasurer and Comptroller receiving and disbursing offices for all sources of state income and all purposes of state expenditure. . . ." 18 June '07, p.10-11

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#### Examination and audit

- a **Kan. Hoch.** "The law enacted in 1879 requires a monthly examination of the state treasury by the Governor, Secretary of State, and Auditor. . . The performance of this duty by these officers has always been necessarily perfunctory and of little value. . . The duty of this examination is placed upon officials, two of whom, at least, are not ordinarily familiar with its peculiar duties, who are ordinarily not experts, and who have no time to devote to the performance of the duty which this statute requires. . . It seems to me that quarterly examinations, made by the State Accountant and his assistants, would vitalize such examinations and make them of practical value. Perhaps it would be wise for the accountant to make report of these examinations to the Governor, and I recommend a change in the law in harmony with these suggestions." 8 Jan. '07, p.34-35
- b **Me. Cobb.** "The office of State Auditor should be created. The present system of auditing the state's accounts by the Governor and Council is an archaic absurdity. It is cumbersome, uncertain and incorrect, and would not be tolerated an instant by any individual, firm or corporation doing business in accordance with approved and modern methods. . . The methods of book-keeping, too, employed by some of the departments are extremely loose, and this whole subject should be investigated and the defects remedied. Former executives have made this same recommendation for a state auditor, and it is to be assumed that failure to act upon it favorably is due to a belief on the part of the people that its indorsement would simply create another department or office with additional and unnecessary expense. I am of the

opinion, however, that the direct saving effected by a competent auditor with power would far exceed his salary and the expenses attending the office." 3 Jan. '07, p.9

- c **Mass. Guild.** ". . . I recommend that the laws relating to the powers and duties of the Auditor be so amended as to give him authority and require him to audit the accounts of all officials, boards and institutions which receive moneys to be turned into the treasury of the commonwealth." 3 Jan. '07, p.13

- d **N. J. Stokes.** ". . . The service of the state could be greatly improved and rendered more efficient if there was some provision for a proper, judicial and fair investigation and examination of the various state departments and commissions and boards. The creation of a permanent body for this work would not seem to be necessary. Provision could be made for a commission that could be called into existence at stated times or when needed. I would have a commission appointed by the Chief Justice, with the powers of investigation and recommendation. This commission should make an examination of state affairs every three or five years and at such other times as would seem to be warranted by any specific case or condition. It would be judicial in character. In the performance of its functions it would have but one object, namely, to increase the efficiency and economy of the public service, so far as the state was concerned. It would not be partizan or political in its deliberations. . . Such a commission, after examination and inquiry—in which examination and inquiry the State Auditor should be at its disposal—would have a complete grasp of state affairs in all their ramifications. It would then be able to recommend what boards, if any, should be consolidated, what economies inaugurated, and what important methods adopted. In this way there would be a check, not alone upon the work of state officials and employees, but upon the tendency of the Legislature and the public to create new departments and new commissions that in time often become unnecessary or overlap one another in the performance of their duties. . . While I believe that our municipalities should be vested with larger powers of local government and should be permitted to settle in their own legislative bodies many of the special and local problems that now require legislative action at Trenton, I heartily concur with the recommendation of the Commission on Municipal Government for a state audit of municipal accounts. . ."

18 June '07, p.16-19

- e **N. D. Sarles.** "The advisability of a subvoucher system similar to that of other states was deemed expedient during this administration. . . I suggest a provision of law, if required, enforcing this system. . . There is another change I recommend in the Auditor's department, which will save the Governor . . . much time and unnecessary labor, and that is the adoption of the salary pay roll system used by Wisconsin, Minnesota, and many other states."

9 Jan. '07, p.7

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- f **Or. Chamberlain.** ". . . I suggest that on the first day of the session, you appoint an expert accountant who shall be empowered to select his own assistants, to expert the books of all state officers, with instructions to report to the Legislature prior to adjournment, if possible, and if the work is not then completed, to continue until it is fully done, and to report to the Executive in detail. . . ." 16 Jan. '07, p.22-23

- g **Wash. Mead.** Recommends appointment of State Bank Examiner with power to examine accounts of state and county officers and to prescribe uniform system of public accounting. 14 Jan. '07, p.13

- h **Wis. Davidson.** ". . . I recommend that the Commissioner of Banking be required to examine the accounts and financial transactions of each department at stated intervals and to report concerning their condition to the Executive." 10 Jan. '07, p.44

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### Financial officers

*See also* 55, State examiner; 2588, Local finance

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### State auditor. Comptroller

- a **Me. Cobb,** 3 Jan. '07, p.9; **N. H. Floyd,** 3 Jan. '07, p.8-9; **Tenn. Patterson,** 7 Jan. '07, p.15.

- b **Tenn. Patterson.** "I have heretofore recommended the creation of the office of State Auditor, and a bill was prepared and introduced on this subject, which met opposition, though no reason can be given why a state auditor is not a necessity. It is probable that the bill went too far in some of its provisions, and another will be framed and presented for your consideration, the purpose of which will be in keeping with my recommendations, and the reasons, which must be apparent to all, why such officer under the direction of the Governor should be empowered to examine the accounts of all state institutions, and all other officers handling state revenue. . . ." 1 Apr. '07, p.5

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### State treasurer

- a **S. D. Elrod.** "The salary of the State Treasurer should also be increased and greater safeguards should be thrown around the handling of the public funds. The Treasurer should furnish a surety bond made by not less than four first-class companies and the state should pay for the bond." 8 Jan. '07, p.43

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### Fiscal year

- a **Ind. Hanly.** ". . . I recommend . . . a change in the beginning and the end of the fiscal year. The year should begin on the 1st day of October and end with the 30th day of September of each year. All annual and biennial reports required of the several departments and officers of the state relate to fiscal years. The law provides that these reports be printed and filed

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with the members of the General Assembly for their information. These reports can not be made up until the close of the fiscal year they cover. This gives but 60 days in which to prepare the reports and to secure their publication. As a result many of the reports are not filed with the Governor until the eve of the assembling of the General Assembly and are not printed until after the adjournment thereof. By closing the fiscal year on the 30th of September an additional month will be given and it will become possible to secure the publication of the reports in time for distribution at the beginning of the session. This change will also cause the fiscal quarter to correspond to and end with the calendar quarter. . . "

10 Jan. '07, p.39

- b **Mon. Toole.** "Under the Constitution no appropriation can be made for a longer period than two years. Our fiscal year ends on November 30, and for convenience doubtless our appropriations for the executive and judicial departments have heretofore been made to cover these fiscal years. . . There appear to be difficulties in the way of changing the fiscal year. There does not, however, seem to be any constitutional or other objection to appropriating early in this session a sum sufficient to cover these claims referred to as deficiencies since November 30, last, and accruing expenses for the executive and judicial departments up to April 1, 1907, and thereafter make the general appropriation bill available for two years from April 1, 1907, to April 1, 1909. This would hereafter carry us over until April first after each biennial session of the Legislature. This, I think, is most desirable and would remove a great burden from those who can not afford to wait three months for their money. I hope this will be done."

8 Jan. '07, p.24

- c **W. Va. Dawson.** "We have so many fiscal years that it is worth the inquiry by you to ascertain whether some of them can not be made coincident with others. The Labor Commissioner has a fiscal year, the Mine Inspector another one, the state fiscal year is still different, and then we have a school year, and the county year, and there are some others. So many different years create confusion."

8 Jan. '07, p.93

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#### Funds. Investments

- a **Mon. Toole.** "Owing to close competition with bond houses in the east, we have not been able to invest the funds of the state resulting from sales, leases, etc., to the best advantage, and find ourselves in possession of more than \$500,000 arising from these sources uninvested, notwithstanding we have made diligent effort to invest the same. In view of these facts I think it would be prudent, in cases of sales of lands on credit, to extend the deferred payments over a period of 20 instead of 14 years, as now provided by law. I am also in favor of conferring upon the State Board of Land Commissioners power to lend its surplus and uninvested school and land grant funds upon approved real estate

mortgage security within the state, by a safely guarded measure, as an escape from the sharp competition which now obtains in the purchase of securities now authorized by law. . . ."

8 Jan. '07, p.19-20

- b **N. D. Sarles.** "A law should be passed authorizing the State Treasurer and the State Auditor to transfer to the general fund of the state any balance in a fund created by a special levy, after the full purpose for which such special fund was created, had been accomplished."

9 Jan. '07, p.7

- c **U. Cutler.** ". . . You can see how great danger is incurred by a public officer in attempting to eke out an insufficient salary by making profit from the use of public moneys. In view of these conditions, I repeat and emphasize the recommendation made in my previous message, that laws be enacted making strict regulations regarding the use of public moneys, and allowing to the custodians thereof sufficient compensation to render this manipulation of funds entirely unnecessary. I shall be pleased to confer with your committees on this important matter. In this connection, I respectfully call your attention to the fact that under the present law the \$82,000 collected . . . as interest on the reservoir fund, can not be lent out. . . This fact further emphasizes the recommendation made above that the laws be amended so as to allow all public moneys to be lent on approved security, and the interest used for the benefit of the state or the subdivisions to which the funds belong."

15 Jan. '07, p.7-8

- d **U. Cutler.** "In line with my suggestions to the previous Legislature, the Engineer recommends that the law governing the use of the reservoir fund be so amended as to permit it to be lent to associations giving proper security, and used by them for the purpose of building reservoirs, whether public or private. By this means this fund, which is now of considerable size, but has been practically useless, could be applied to the purpose for which it was intended. I therefore strongly support this recommendation."

15 Jan. '07, p.29

- e **Wash. Mead.** "Ten special funds aggregating about \$300,000 lie dormant in the treasury while the state is paying interest on an indebtedness many times in excess thereof. The fund system should be abolished and the various fees and increments which go to create it should be paid directly into the general fund, an account being kept with the source of receipt—disbursements to be made from the general fund and credited to the source of receipt. A consolidation of the state special funds would permit the Treasurer or other authorized officer or board, when a large balance has accumulated in the general fund, to divert the sum in excess of a reasonable balance to the payment of the bonded debt of the state invested in the permanent school fund. By this means within a short time this debt could be materially reduced if not satisfied. . . ."

14 Jan. '07, p.9-10

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## State institutions

- a **Neb. Sheldon.** ". . . The total estimates for current expenses during the next biennium made by the heads of the several institutions are so large that it will be necessary for you to investigate thoroughly the needs of these different institutions before making the appropriations. Promiscuous junketing is expensive and in the past has not given beneficial results. It is, therefore, sincerely recommended that a joint committee be appointed for the purpose of visiting the several state institutions and inquiring into their actual needs before the appropriations are made. . . ." 3 Jan. '07, p.37-38
- b **N. D. Sarles.** "I recommend the institutions of our state be authorized by law to instal a uniform system of accounting, doing away with the cumbersome method of furnishing duplicate receipted bills as is now required, and the classification of accounts be made alike in all institutions, thereby giving a true basis for comparison. Under our present system such a comparison could not be had by using the statements or reports of the several institutions." 9 Jan. '07, p.7
- c **Wash. Mead.** "The granted lands held by the state in trust for the various charitable, educational, reformatory and penal institutions, have produced in their permanent funds the sum of \$284,817.15. That constant accretions will in time create a grand total of at least \$25,000,000 in a permanent irreducible fund is a conservative estimate. No law exists whereby any officer or board is authorized to invest any of these funds other than the common school fund. I believe a board of finance, to be composed of the State Treasurer, the State Auditor and an appointee of the Governor, who should be secretary, should have the management of this heritage of the commonwealth. . . . Accretions will follow during the coming two years. These funds are available for the first time in the history of the state for the maintenance of the different state institutions. To prevent their accumulation in large sums the State Treasurer should be required first to exhaust the fund credited to any of the state institutions before paying warrants from the general fund." 14 Jan. '07, p.11

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## Debts. Bonds

*See also 2597, Local finance*

- a **Ari. Kibbey.** ". . . Every consideration . . . urges us to measures looking to the early retirement of our bonded indebtedness. . . . A total tax levy of 9 cents on each \$100 of property valuation annually by the territory would accumulate a sufficient sum with which to retire the entire territorial indebtedness (including not only that refunded but of the other issues) within 20 years. . . ." 22 Jan. '07, p.12-25

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- b **N. C. Glenn.** "The 4% prison debt bonds, amounting to \$110,000, and 4% prison farm bonds, amounting to \$60,000, become due January 1, 1909. . . I recommend, that these bonds when due be paid out of the funds belonging to the state's prison, and I hope you will pass a law authorizing and directing the prison directors so to do." 9 Jan. '07, p.37
- c **S. D. Elrod.** Recommends return to North Carolina of money paid to South Dakota on account of judgment in South Dakota v. North Carolina (192 U. S. 286). 8 Jan. '07, p.11-14
- d **Tenn. Patterson.** "I direct your attention to the obligation of the state to pay \$469,000 of 4% bonds on October 1, next, and to the necessity of an amendment to the sinking fund act which will authorize the retirement of these bonds at maturity. . . ." 1 Apr. '07, p.6
- e **Wash. Mead.** "The state has accumulated a debt against its Capitol building land grant of \$682,044.74, on which it is paying an annual interest charge of \$26,894.75. This indebtedness is not invested in state permanent funds, the interest being paid to individual warrant holders. . . I recommend the inauguration of a policy whereby the state in time may assume this entire indebtedness to be repaid into the state treasury from the sales of the granted lands. Interest payments would then be made to permanent fund accounts instead of to warrant holders."

14 Jan. '07, p.13-14

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## Deposits and depositories

- a **Ala. Jelks.** "The plan of keeping a large sum of money in the treasury is subject to criticism. . . It is a great care, and besides, and what is more important, it is out of circulation. . . You will have an opportunity to vote on a bill providing for state depositories at your present session. I unqualifiedly advise the passage of such a bill when properly drawn. In this connection I am minded that the Constitution does not allow the loan of the state's funds. This clause seems now to be unfortunate." 8 Jan. '07, p.19
- b **Ala. Comer.** ". . . I would suggest the enactment of a statute authorizing the State Treasurer, with whatever adjuncts of cooperation or advice you may deem best, to deposit this money with the banks of the state under clear conditions of security by depositing with the treasury state bonds; and also some plan of competition as to the amount of interest to be paid on said deposits, and the method of distributing through the state according to the requirements and best interests of the treasury." 15 Jan. '07, p.17-18
- c **Ala. Comer.** ". . . I would suggest that you provide for an amendment to our Constitution which would allow the state to let money out to the banks . . . at interest. . ." 9 July '07, p.15
- d **Del. Lea.** ". . . In order that the state and county funds on deposit may receive an income from their deposits I urge your



- favorable consideration of a statute which shall provide among other things: 1st. That the state and county treasurers be required, under penalty of forfeiture of office, to deposit all public funds in approved depositories; 2d. That the public funds, both state and county, under the control of the various treasurers, be awarded for deposit to approved depositories; 3d. That the Governor, Secretary of State, Auditor of Accounts and Insurance Commissioner be constituted a commission to determine the depositories for the state and county funds and the proportion of public funds each depository may receive; 4th. That each approved depository shall be chargeable with 2% on the daily balances and at stated periods credit the accounts of such treasurers with the accumulated interest on such funds." 1 Jan. '07, p.7
- e **Ill. Deneen.** ". . . I . . . recommend that a law be enacted with an emergency clause, requiring the custodians of public funds to deposit the same with banks, under proper safeguards and providing that the interest received therefrom shall be paid into the public treasury. . ." 9 Jan. '07, p.44
- f **Ind. Hanly.** "The events of the last two years have emphasized the necessity of reform in the methods of handling and caring for public funds. . . In recommending remedial legislation in this behalf I can not go into details; but I submit what seem to me to be the essential features of any legislation upon this subject. Daily settlements and payments of all moneys received by any officer into the proper treasury is the first essential step. The selection of depositories for the funds is the second. Requirement that all public moneys in the hands of treasury officials shall be daily deposited in the depositories selected is the third. Provision that all interest accruing shall belong to the public and be paid into the public treasuries is the fourth. In the creation of the new system there are certain controlling fundamental purposes which should be kept in mind: 1st. the end of personal favoritism and of political banking; 2d. the saving of public officials from the opportunity and the temptation to misuse the funds intrusted to their care; 3d. the safety of the funds; 4th. the saving to the public of the interest accruing thereon. . ." 10 Jan. '07, p.62-65
- g **N. M. Hagerman.** ". . . I would suggest that in the territorial laws concerning depositories, provision should be clearly made for the periodical examination of all collateral and security bonds filed, with a view to their renewal or replacement by others when it might be deemed necessary. . ." 21 Jan. '07, p.7
- h **N. M. Hagerman.** "Section 255 of the compiled laws of 1897 provides that only banks with a paid-up capital of \$50,000 are entitled to become depositories of territorial funds, and as the national banking act allows the organization of national banks with a paid-up capital of \$25,000, and our territorial laws provide for the organization of banks of discount and deposit with a

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\$30,000 paid-up capital. . . As a result the territory has at all times more or less funds on hand that do not draw interest, for the reason that we do not have in the territory a sufficient number of larger capitalized banks to apply for the cash balances carried on an average in the hands of our territorial treasurer. . .

I further recommend that an act be passed making it the duty of the several boards of regents of the several public institutions to designate one or more depositories for the moneys of such institutions, which depositories shall be either a national bank, or a bank organized under the territorial laws, and that each such depository shall give a bond to the territory in a sum equal to the probable amount such depository may have deposited with it at any one time, and such depository shall pay interest on monthly average balances, as may be agreed upon by such depository and such boards."

21 Jan. '07, p.37-38

- i Or. Chamberlain. "There are times in each year when large sums of money are in the custody of the State Treasurer, for which there is no immediate use. Provision should be made requiring a deposit of these funds in safe and solvent banks offering the highest rates of interest. . ."

16 Jan. '07, p.27

- j S. D. Elrod. "Provide for public depositories within the state. Make national and state banks public depositories when they have deposited with the State Auditor, county or gilt-edged municipal bonds, or school bonds and the amount of the deposit should not exceed 90% of the bonds pledged, and the borrowing banks should be required to pay the state not less than 2½% interest on state deposits."

8 Jan. '07, p.44

- k Wash. Mead. "I recommend . . . the proper safeguarding of all public funds placed on deposit and fixing the rate of interest which depositories should pay on such funds into the public treasury."

14 Jan. '07, p.30

- n Wy. Brooks. State depositories.

10 Jan. '07, p.4-5

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## Public order

*See also* 234, Crimes and offenses

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## Police

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### State and county police

- a Mass. Guild. "I am aware that all these suggestions for more thorough inspection of boilers and for factory legislation mean an enlargement and to some extent a reorganization of the district police. . . Not only an enlarged force but a more definite division into departments is needed."

3 Jan. '07, p.21

- b S. C. Heyward. Recommends rural police to prevent lynching.

8 Jan. '07, p.13-14

- c S. C. Ansel. "I respectfully recommend that a system of mounted police or patrol for the rural districts be established.

## POLICE REGULATIONS

This is no new idea, but one that is being carried out with great success in many countries. When there are so many vagrants and idlers roaming about, and there is so much work to be done on every side, the work or move-on system should be established, and that can be carried out better by such mounted patrol or police system, than by any other plan. Give them authority to arrest all violators of the laws of the state, and carry them before the nearest magistrate for trial or commitment for trial to the Court of General Sessions." 15 Jan. '07, p.7-8

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### Municipal police

- a **Mo. Folk.** ". . . I therefore recommend that the section of the statutes prohibiting the establishment of a municipal police system in these cities [St Louis, Kansas City and St Joseph] be repealed, and that these municipalities be authorized to amend their charters in the usual way, and provide for a municipal system of police, and if they so amend their charters to permit the municipal police to supersede the metropolitan police. . . "

2 Jan. '07, p.38-39

- b **Mo. Folk.** "I believe the municipalities of the state that now have the metropolitan police system should have the option of controlling their own police. They should be given the right to adopt the municipal system whenever a majority of the voters of such city, in any special or regular election, so decide. They should be authorized to provide for the appointment of police commissioners by the mayor, or in any other manner that they may see fit. In order, however, that the state may protect its sovereignty in case things should go wrong locally, the commissioners should be subject to removal by some state authority. . . "

9 Apr. '07, p.8-9

- c **R. I. Higgins.** "I . . . would submit for your consideration . . . laws abolishing state appointed police commissions and turning the control of the police over to the mayors in the various towns or to the people directly." 3 Jan. '07, p.22

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### Miscellaneous police regulations

See also 256, Crimes against public order and security; 264, Crimes against public morals and the family; 1065, Nuisances; 1090, Public safety; 2722, Roads

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### Amusements

Relating chiefly to restricted amusements

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### Gambling. Lotteries. Betting

See also 1507, Speculation

- a **Ari. Kibbey.** ". . . I . . . recommend to you that you enact a law repealing the provisions for licensing gambling, and making it unlawful for any person to maintain, conduct or permit

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gambling in any public place, or in or about any place where intoxicating liquors are sold, dispensed or permitted to be drank, or in any other place to maintain, conduct or permit such gambling for the purpose of gain or hire and for any person to gamble in any of said places." 22 Jan. '07, p.8-9

- b **Ind. Hanly.** "Under the present statute the gambling paraphernalia seized by the state can not be destroyed until there is a conviction of the persons in whose possession it was found . . . The statute ought to be amended so as to authorize the destruction by fire of all such paraphernalia wherever found, summarily and without trial." 10 Jan. '07, p.24-25

- c **N. M. Hagerman.** "With the exception of the proprietors of saloons and gambling houses themselves, the business men of New Mexico are, as far as I can ascertain from careful inquiry, almost unanimously in favor of the passage of a law abolishing licensed gambling. . . . The number of retail liquor licenses issued in the various counties of the territory in 1905 was 585, of wholesale liquor licenses 23, and of gambling licenses 360, and the amount of income from them all was \$164,412. Figures as to the exact proportion of this amount derived from gaming licenses are not at hand, but from similar statistics from all but five counties for the year 1906, it appears to be less than one half. Two thirds of the net amount received from the three sources is, by law, paid into the district school funds, and one third to the general county school funds. . . . Intemperate use of intoxicating liquors is deplorable and results in evil, but the abolition of saloons is not, in my opinion, practicable. The abolition of licensed gambling is. But the limitation of the retail liquor business is both desirable and practicable. I call to your attention the fact that an average increase of \$200 to \$225 in the retail liquor licenses throughout the territory, while making a very desirable decrease in the number of saloons would, in all probability, more than make up for the loss to the school funds of the money now derived from gambling licenses. The saloons would not only be decreased in number, but with gambling eliminated from them would be much less objectionable. This is self evident. I strongly recommend that a bill be enacted making it a misdemeanor, punishable by a fine of not less than \$200 nor more than \$5000 and by imprisonment for not less than two months nor more than one year for any person to conduct or carry on in any way, either as owner or employee, any sort of a game played with cards or any other device, for money, checks, credit or any other representative of value. A law less definite and stringent in its character would not result in abolishing an evil, which for the welfare, good reputation and fair name of New Mexico, is absolutely essential should be abolished." 21 Jan. '07, p.48-51

- d **U. Cutler.** ". . . I have the honor to suggest that a law be made declaring gambling a felony, instead of a misdemeanor

## LIQUORS

as at present, and giving authority to the chief of police or the sheriff to confiscate all gambling appliances and destroy them at the city hall or the sheriff's office. I believe that, as now, the person conducting the game, the one engaging in it, and the party renting a house knowingly for the conduct of gambling, should be declared equally guilty. . . ." 15 Jan. '07, p.39-40

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### *Poolselling. Bookmaking etc.*

- a Mo. Folk. ". . . The Supreme Court of our state recently decided the act did not apply to bookmakers telephoning the bets out of the state to be registered, and then having the person at the other end of the wire telephone back to whom to pay bets. This ruling absolutely nullifies the statute. . . I earnestly recommend that you enact a statute making it a felony to register a bet upon a horse race, either on a blackboard or any other substance, or to telephone a bet on a horse race to any other state, to be registered there, or to telegraph a bet for such purpose or to use any other instrument or device to accomplish the registration of bets. . . ." 2 Jan. '07, p.15-16

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### *Prize fighting. Boxing*

- a Nev. Sparks. ". . . The pernicious influence exerted through prize fighting upon the youth of this commonwealth can not be estimated or counteracted while the present law exists. Other states may claim to be more holy than Nevada, but whether true or not we should endeavor to respect sentiments entertained by a great majority of the good people of the United States, and restrain the demoralizing influence authorized by the present law. Protection is desired to free our people of this baneful tendency, and I recommend that the prize fight law approved January 29, 1897, be repealed, and that a rigid prohibitory measure be enacted in its stead." 21 Jan. '07, p.11

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### *Intoxicating liquors. Narcotics*

*See also 998, Adulteration*

- a Mo. Folk. ". . . In order that the liquor traffic be subject to the law all over the state there should be a state excise commissioner. All persons or corporations, including clubs, should be required to take out a state license in addition to the county license issued by the County Court and the municipal license issued by the municipal authorities. It should be made an offense punishable by fine and imprisonment for any person, or corporation or club to sell intoxicating liquor without a state license, and the issuance of a state license should be prohibited in any county where the people have voted in favor of the entire suppression of the liquor traffic; in other counties, in order not to interfere

with the local control, in accordance with law, require the County Courts to first pass upon an application for license. The State Excise Commissioner should have no power to issue a state license to any person unless that person has first obtained the consent of the County Court as to county license. This would leave the County Court with the same power as at present over county licenses, and the amount to be charged for county licenses, but require a state license in addition. I would suggest that the state license be fixed at say \$300 a year, to be paid into the state treasury, and out of which the expenses of enforcing the dramshop laws be defrayed after proper appropriation for that purpose. The Excise Commissioner should be directed by law to enforce the dramshop laws throughout the state. The Governor should be authorized, whenever he deems it necessary by reason of the failure of local officials to enforce the laws to appoint a special prosecutor for this purpose. With these measures the liquor sellers will either do business under the law or they will not do business at all.

One of the great sources of abuse of the liquor traffic is the ownership of saloons by brewers and distillers. Competition as a rule compels them to procure a low class of men to run these places. The manager has no sense of ownership or pride in running a decent place, and saloons of this kind often become hotbeds of lawlessness. No brewer or distiller ought to be permitted to own an interest in a saloon, and no person or corporation should be allowed to have more than two dramshop licenses.

Clubs should be required to have licenses to sell liquor, the same as dramshops. Under the present law by a decision of the courts this is not required. The Excise Commissioner should be especially directed to look after and suppress the drug stores which sell whiskey contrary to law. These are not only a menace to public morals, but they are an injustice to the dramshop keepers who are compelled to pay for a license to sell when these drug stores sell without any state license at all. The local option laws of Missouri, if enforced together with the dramshop laws, I believe constitute the most satisfactory way of dealing with the liquor problem. The local option laws leave it to the people of each county to exclude the liquor traffic or not, as a majority of them may vote. The only thing is to have the will of the people carried out. This local option should extend to the wards of St Louis and Kansas City, so as to give them the same privilege as counties. I believe in the people of the counties having local option in purely internal affairs by law, but there can be no such thing as local option in obeying or not obeying state laws. Self-government means the right to make laws, not the right to break laws."

2 Jan. '07, p.27-30

- b Mo. Folk. Reiterates recommendation for a state excise commissioner law.

20 Feb. '07, p.3-7

## LIQUORS

900

- c Mo. Folk. "More important than this, however, is some measure to secure the enforcement of the dramshop laws throughout the state. . . . Outside of these cities [St Louis, Kansas City and St Joseph] the state has no power whatever to enforce these laws, and in a number of the counties the dramshop laws are openly and flagrantly violated. I have suggested as a remedy for this condition a state excise commissioner law. Several states have such a measure, with most satisfactory results. There has been a state excise commissioner in New York state for 10 years. There has been a state excise commissioner in the city of St Louis for many years, and no one would, I think, advocate the abolition of that office without providing something equally as good in its place. The measure proposed would not interfere with local control. County dramshop licenses and municipal dramshop licenses would continue to be issued and revoked as at present, and by the same authorities. The excise law suggested provides for a state license only. There is no state license under the present statutes. The Excise Commissioner would have jurisdiction only over the state license, and would have nothing to do with the county or municipal licenses. In order to insure thorough local control, the state license should be issued only after the County Court has approved the application for a county license. . . ." 9 Apr. '07, p.11-16

- d N. C. Glenn. ". . . While seeking to build a reformatory to take care of our wayward youth, let us not neglect to take away the causes and curses that make such institutions necessary. Make the most stringent laws, well safeguarded, against selling drugs, such as cocaine, morphine, etc., except on the prescription of a practising physician, and add penalties and forfeiture of license to a physician or druggist aiding any one to violate this law. Enforce the law most rigidly against any one selling liquor, cigarettes, opiates, etc., to minors, and compel all officers finding a boy with liquor, cigarettes, or opiates to make him testify before some justice or mayor as to where he got his liquor, cigarettes, etc., and then at once arrest the offender selling to the boy, and make him liable to indictment and most severe punishment. Pass a law, also, requiring regular inspections of fountains. . . ." 9 Jan. '07, p.35-36

902

### Prohibition

- a N. D. Sarles. "I recommend that the reward for the conviction of violators of this [prohibition] law be double, making it \$100, instead of \$50, thereby making it the same as the reward now in force for the conviction of horse thieves." 9 Jan. '07, p.14

903

### Dispensaries

- a S. C. Heyward. Renews recommendation for radical changes in or abolition of the dispensary system. 8 Jan. '07, p.11-13

903

- b S. C. Ansel. ". . . I urge that you enact a law abolishing the state dispensary system, and give to the people of each county the right to vote upon the question of county prohibition or county dispensary. . . "

15 Jan. '07, p.5-6

904

*Local option*

- a Ala. Jelks. Local option law. 8 Jan. '07, p.28
- b Ala. Comer. "There is almost a universal demand that we have a well defined and equitable local option law. This has been debated through the state and is clearly understood, I will simply suggest that is one of the essential features of our great democracy that the great majority shall rule." 15 Jan. '07, p.24
- c Col. Buchtel. "The definite pledging of our candidates to the enactment of a local option law awakened intense interest among the best people in the state. . . I beg to remind you that this is not what is called sumptuary legislation. It is not saying what a man shall eat and drink. It is not proposing to make people good by law. . . If a majority of the people in any community want the open saloon, they have the right to have it. If a majority of the people in any community do not want the open saloon, they have a right to exclude it. . . When you consider the unspeakable damage to character which comes from the open saloon, you can not avoid making haste to enact a law which will make possible the exclusion of the open saloon from those districts where the majority of the people are squarely opposed to it." 8 Jan. '07, p.24-25
- d Mo. Folk. ". . . Effective local option laws for counties, towns and cities should be enacted. . . "

9 Apr. '07, p.11

907

**Liquor licenses**

- a Ala. Jelks. Recommends that earnings from convicts and whiskey licenses go for support of schools; higher license; local option. 8 Jan. '07, p.28
- b Del. Lea. "The license tax on the manufacturers and distillers of alcoholic liquors and the brewers of malt liquors should be so increased that the returns to the state would be measurably commensurate with the cost of protection and the added burden upon the state arising from disorders growing out of the vending within this state of the products of such enterprises. . . Licenses issued for the sale of intoxicating liquors (other than those issued to druggists), are of two classes, one to sell in large quantities and the other to sell in small measures. The latter class pay two or three times as much tax as the former. This you should equalize and adjust. The law permitting the sale of liquor in quantities less than one quart to be drank off the premises where purchased should be repealed. In making this recommendation I am not unmindful of the constitutional provision in reference to local option. Whether you shall provide by law at the present



## LIQUORS

session for the submission of the question of the sale or no sale of intoxicating liquors, the sale of liquor is bound to continue in this state for two years more." 1 Jan. '07, p.5

910

### Regulations and restrictions

*See also 149, Election offenses; 998, Adulteration*

- a **Ari.** Kibbey. "I also recommend that you enact a law making it unlawful for women or girls to frequent or to be employed in any capacity in and about saloons or other places where intoxicating liquors are dispensed.

And I recommend that you enact a law requiring all vendors of intoxicating liquors that are to be drank upon the premises where sold, to close their places of business and to refrain from selling or dispensing such liquors between the hours of 12 o'clock midnight and 5 o'clock a. m., of week days, and during all of Sundays." 22 Jan. '07, p.9

- b **Mo.** Folk. "We need a law prohibiting brewers and distillers having an interest in dramshops. . . Competition between breweries compels them to take a low class of men and set them up in business. . ." 9 Apr. '07, p.11

912

### Restricted localities

- a **Ga.** Smith. ". . . Our platform demands that the dry counties of Georgia be kept dry. I cordially favor legislation to accomplish this result, and I believe it possible to restrain to a great extent the use of liquors shipped from outside the state. I suggest also the propriety of making the operation of a 'blind tiger' a felony." 29 June '07, p.17-18

- b **Neb.** Mickey. "I . . . recommend that the statutes be amended so as to prohibit, under penalty, the shipment of liquor by express and transportation companies into such cities, towns and villages as have, by a majority vote or by action of the council, declared against the liquor traffic within their borders, no matter to whom the shipment may be consigned. When a community has registered its legal protest against the saloon business its wishes should be respected and should not be set at naught by any liquor house, express or transportation company. . ." 3 Jan. '07, p.17

- c **Tenn.** Patterson. ". . . If there are communities where the Adams law [prohibiting sale of liquor within 4 miles of a school except in incorporated towns of over 5000] does not apply, and the people, or the representatives of the people of those communities, ask its extension, I unhesitatingly recommend such extension as consonant with our platform and the principle of local self-government. . . Without reference, however, to the extension or nonextension of the Adams law, I believe the license tax imposed on liquor dealers should be materially increased. Without suggesting the amount, I recommend that the license be raised

so as to increase our revenues from this source, and at the same time to diminish the number of saloons in the cities."

7 Jan. '07, p.11

916

### Illegal traffic

- a **Ind. Hanly.** ". . . Under existing conditions it is difficult to obtain sufficient proof to convict persons selling without license in such [no-license] territory. A law against all such sales, carrying severe penalties, making it an offense to run or operate a place where illicit sales of intoxicants are made, providing that possession of intoxicating liquors by one unlicensed, or the finding of such liquors upon his premises, or the possession of a receipt showing the payment of United States revenue taxes for the sale of intoxicating liquors, shall constitute prima facie evidence of the guilt of keeping, running and operating such a place, with an effective search and seizure clause authorizing search for and confiscation and destruction of all intoxicating liquors found in or upon the premises where such a place is kept, run or operated, is essential to the peace and happiness of these communities. . . ." 10 Jan. '07, p.89-90

- b **N. H. Floyd.** ". . . In no-license towns there is just complaint that the prohibitory features of the law are not enforced and that the privileges granted to some hotels and drug stores are abused. I hope to see this corrected by amendments to the law which will make it possible to carry into effect the theory upon which it is founded, that when a community votes against license it shall have effectual prohibition." 3 Jan. '07, p.9

921

### Intoxication. Inebriates

- a **Kan. Hoch.** ". . . I believe it would be wise to establish a state hospital for inebriates, for the treatment of alcoholism. Perhaps the new medical department of the State University might be wisely enlarged in its scope to include treatment of this class of unfortunates." 8 Jan. '07, p.22

924

### Tobacco

- a **Ari. Kibbey.** ". . . I recommend the enactment of a law forbidding the sale of tobacco in any form, cigars or cigarettes, under severe penalties, to any person under 21 years of age, and with like penalties upon the person under 21 years old buying the same, even notwithstanding the consent of an indulgent but foolish parent." 22 Jan. '07, p.9-10

925

### Cigarettes

- a **S. D. Elrod.** "Cigarette smoking seems to be quite prevalent among schoolboys. The law on this subject should be strengthened. The law should be amended prohibiting the sale and use of cigarette papers in the state." 8 Jan. '07, p.8

## SUNDAY OBSERVANCE

926

### Opium, cocaine etc.

- a **W. Va. Dawson.** Recommends a "comprehensive, stringent and drastic law" to prevent the indiscriminate sale of cocaine and similar drugs. 8 Jan. '07, p.85

927

### Mob violence

- a **N. C. Glenn.** "Mob law is to be deeply regretted, and if possible should be stopped at all hazards. I recommend the re-enactment of the Watson law of 1893, with such amendments as will make it more efficient. Let the sheriff, or other peace officer, when a mob assembles, be required to order them to disperse, and if they refuse to go, let all remaining be declared an unlawful assembly and liable to arrest. Make such officer after making the proclamation, also take the names of all refusing to go, and give them to the solicitor for indictment. Such precautions will in many instances save all trouble. Authorize, also, any peace officer, in cases where it is absolutely necessary, to call out the military and take every needed step to disperse the disorderly crowd, for mob law is a blot on society and injures most seriously the entire state." 9 Jan. '07, p.36-37
- b **S. C. Heyward.** ". . . An efficient rural police might not only prevent the crime of lynching by being ready to assist the sheriff at a moment's notice, but the presence of such officials would do much to prevent criminal assaults. Our rural communities are entitled to this protection." 8 Jan. '07, p.13-14

929

### Sunday observance

*See also 2092, Sunday labor*

- a **Ala. Comer.** "I recommend the enactment of laws requiring railroad corporations to observe the Sabbath day by prohibiting them from operating freight trains in this state on the said day, except for the transportation of perishable freight." 15 Jan. '07, p.12
- b **Ala. Comer.** "We have three great Constitutions, the state, the federal and the decalogue. The oldest of these is the decalogue, and on this is built every civilization. One of the cardinal articles of that great Constitution coming from Sinai, is to observe the Sabbath, yet, there is not a Sunday but what great freight trains desecrate this day in our state. . ." 9 July '07, p.18-19
- c **U. Cutler.** ". . . I think you will agree with me that no theatricals, in the ordinary meaning of the term, should be permitted on Sunday. While each city in the state should regulate this matter within its own limits, it is a fact that in some cities, within the shadow of the churches — tragedy, melodrama, vaudeville, comedy, opera, and other forms of theatrical entertainment are allowed free rein on Sunday. In view of this fact, I would

strongly recommend that you pass a measure prohibiting such forms of public amusement on Sunday." 15 Jan. '07, p.40

930

## Public health and safety

- a **Cal.** Pardee. "California needs, associated with its State Board of Health, a sanitary engineering office, with a competent sanitary engineer at its head, to whom may be referred all subjects connected with the sanitation of cities and towns and state institutions. As time passes systems of sewage disposal and sources of healthful water supply become increasingly important, and, unless competent advice can be furnished in such cases, mistakes will be made that will prove costly. . ." 7 Jan. '07, p.28

932

## General supervision

*See also 2160, Sick and disabled*

- a **Id.** Gooding. "In my judgment it is very important that Idaho should have a state board of health to protect her citizens from the spread of contagious diseases. The law should also provide for the registration of births, marriages and deaths, and the gathering of vital statistics. I would respectfully urge the passage of such a measure." 8 Jan. '07, p.26-27
- b **Mich.** Warner. ". . . The executive officer of the [Health] Board is impressed with the necessity for modifying and simplifying the health laws of the state, to the end that emergency calls may be answered and that promptness, thoroughness and efficiency may be insured in this most important duty of protecting the public health. . ." 3 Jan. '07, p.5-6
- c **Wash.** Mead. "The health as well as the prosperity of our people merits your attention. The field of usefulness of the State Board of Health should be enlarged by clothing it with power to protect the purity of water used for domestic purposes, and to approve or condemn plans for sewage disposal, and obtain an accurate statement of mortal and vital statistics." 14 Jan. '07, p.37

938

## Vital statistics

*See also 474, Family*

- a **Fla.** Broward. ". . . In order that the State Board of Health may intelligently and wisely consider the various problems of public health and sanitation which present themselves in the administration of the very important trust delegated to it, it should be in possession of complete and accurate vital statistics for the entire state. . . I . . . recommend that a statute be passed imposing severe penalties for the failure of physicians and others whose duty it may be, under rules and regulations prescribed by the State Board of Health, to make such reports as they shall require. . ." 2 Apr. '07, p.34-35

938

- b **S. C. Heyward.** ". . . Until the state requires a registry of all births it is impossible to determine the age of a child whose parents desire it to work. For this and other important reasons, I commend to your formal consideration the passage of a law requiring the registration of all births in our state." 8 Jan. '07, p.11
- c **Tenn. Patterson.** "I also recommend that this department [Board of Health] be given jurisdiction of the records of births and deaths for the information of the public, also for the purpose of compilation of statistics on the subject and further in aid of legislation on the subject of child labor. With available statistics, the question of the age of children can be ascertained, and the employment of them under age in these factories and mines can be readily prevented." 7 Jan. '07, p.11-12
- d **Wy. Brooks.** ". . . The collection of vital statistics is a valuable adjunct to the work of the State Board of Health, and recognition of this fact has led the federal government to suggest to the several states legislation to that end. I therefore recommend that the present powers of the State Board of Health be enlarged and its authority be made to include registration of deaths and births, and the collection of vital statistics." 10 Jan. '07, p.26-27

940

### State control of medicine

- a **Tex. Campbell.** ". . . Adequate measures looking to the protection of the people against disease and appropriate legislation for the promotion of the science of medicine and surgery and the more thorough protection of the public against incompetency should be provided." 16 Jan. '07, p.17

943

### License to practise

944

#### Medicine

- a **N. M. Hagerman.** ". . . In this territory applicants for the practice of law, of dentistry and of pharmacy must submit to examination, and I heartily concur in the recommendation of the Board of Health that a law be passed making it necessary that applicants to practise medicine shall not only have certificates from reputable medical colleges, but also pass examinations satisfactory to the board." 21 Jan. '07, p.41

946

#### Optometry

- a **U. Cutler.** ". . . A law should be passed establishing a state board of optometrists, before which every one desiring to practise must pass an examination as to his ability. The eyesight of the people is as important as any other element of physical health, and should be equally safeguarded from incompetents." 15 Jan. '07, p.41

952

## Sale of drugs

954

### Proprietary medicine

- a Cal. Gillett. ". . . There are patent medicines and nostrums for sale today in this state that are injurious to health and ought not to be sold. People who buy them are perfectly ignorant of the kind of drugs used in compounding them. The safety of the public health requires that the sale of such medicines should be suppressed, or at least that there should be plainly printed on a label to be affixed to the bottle or package, a statement giving the ingredients thereof, and the preparation when it contains morphine, opium, cocaine, heroin, chloroform, chloral hydrate or similar drugs, so that the purchaser may know what he is getting and what poison he is taking or giving to his children. . ."

9 Jan. '07, p.5-6

## 956 Adulteration. Inspection of articles liable to affect public health

- a Cal. Pardee. "A pure food department is one of the imperative needs of the State Board of Health if it is to safeguard the public from fraud and from consuming deleterious substances. To make such a department effective California should enact a state pure food law supplementary to the national pure food law. With nation and state working together for a common purpose, there is reason to hope for the doing away with an evil of gigantic proportions and lamentable consequences."

7 Jan. '07, p.27

- b Cal. Gillett. ". . . Strong legislation is required to stop the sale of impure food and drugs in this state, not only the sale of that manufactured or prepared here, but that which is shipped in; so that the purchaser may know what he is getting. The law enacted should be along the lines of the act passed by Congress, so as to be as much in harmony with it as possible. It should be made a high misdemeanor for any person to manufacture within this state any article of food or drug which is adulterated or misbranded, or offer the same for sale, or to offer such food or drug for sale when shipped into the state from any other state or country. . ."

9 Jan. '07, p.5

- c Col. McDonald. "There has been considerable agitation in the past concerning the enactment of a pure food law. Legislation of this character is imperative. I believe a law similar to the one enacted by the Congress of the United States would be entirely satisfactory, and would prove beneficial. However, the State Board of Health, in my opinion, should be charged with the enforcement of the law. . ."

3 Jan. '07, p.13-14

- d Del. Lea. ". . . The federal law upon this subject [pure food] is broad, full and adequate for all purposes of interstate trade. A state statute based on the federal law to cover the trade within the state should be your object."

1 Jan. '07, p.11-12

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- e** Ill. Deneen. Increased appropriation for the Illinois Food Inspection Commission. 9 Jan. '07, p.42
- f** Kan. Hoch. ". . . I specially commend Doctor Crumbine's recommendation for a revision of our pure food laws along the line of the new national pure food law. . ." 8 Jan. '07, p.30
- g** Mich. Warner. ". . . The success of the [Dairy and Food] Department in dealing with the new questions intrusted to its supervision leads me to recommend a further extension of its duties to include the control of the ingredients entering into all articles of food, including confectionery, not already under the jurisdiction of said department. During the past year, Congress has passed what is known as the national pure food law and meat inspection law. The application of the new regulations of the national food law will apply, so far as the United States authorities are concerned, only to food products passing the borders of the state. In so far as it is practicable, without surrendering any of the advantages of the Michigan law over that of the national law, I recommend that the requirements of the Michigan law be made to conform with those of the national law." 3 Jan. '07, p.10-11
- h** Minn. Johnson. ". . . In a report which will later be laid before you, this [Dairy and Food] Department recommends that the liquor law be so amended as to fix a standard for purity and to inaugurate a system of labels that will inform the purchaser the character of the liquid that he purchases. The paint provision of the present law is absolutely inoperative and affords no protection to the purchaser. Standards for flavoring extracts ought to be established. The section of the law governing the manufacture and sale of maple syrup and maple sugar should be amended to prevent deceptive labeling; the law relating to labeling of substitutes of pure jellies, jams, and preserves should be repealed, and a new law should require simply the printing of the formula in legible type. An effective patent medicine law should be adopted, requiring the labeling of all packages giving the formula of the product when it contains dangerous ingredients. A standard for ice cream should be established. The department should be relieved of the burden of proof when dealing with food products in which the ingredients are generally recognized as deleterious to health. Owing to the growth of the canning industry, a special law should be enacted giving the department supervision as to sanitary conditions, and fixing a standard of purity in the output of the canneries; and the national pure food law will be more effective if the Legislature will make the Minnesota law as nearly uniform as possible to the national law. These recommendations are based on the best experience of the officers of the dairy and food department for Minnesota, and in them I heartily concur, earnestly calling your attention to the suggestions in the hope that beneficent legislation will follow. . . The growth of the

dairy industry has been such that the force of inspectors is inadequate, and I would urge upon your body the wisdom of a sufficient appropriation to employ at least three additional creamery inspectors. . . Present laws relating to the inspection of milk and cream should be so amended as to permit the use of measures in obtaining samples for the Babcock test, and should provide that cream samples be weighed." 9 Jan. '07, p.50-52

- i **Mo. Folk.** ". . . I heartily recommend to you the passage of a pure food law, with appropriate provisions for its enforcement." 2 Jan. '07, p.41

- j **Neb.** Mickey. "After many years of effort Congress has finally passed a pure food law, very comprehensive in its scope, affecting all food products and also drugs and chemicals which enter into the compounding of medicines. . . It is evident that if the people of Nebraska are to receive full benefit from the present agitation for pure, wholesome and truthfully branded food the national enactment must be supplemented with a rigorous state law embodying the same features. . . The execution of the law should be placed directly under the charge of the food commission, making provision for such additional chemists and inspectors as are necessary, and an appropriation should be made adequate to the work. . ." 3 Jan. '07, p.6-7

- k **N. Y.** Hughes. "The legislation with reference to adulterations and impurities in food is partly found in the public health law and partly in the agricultural law. It is desirable that the laws should be codified and presented in a single comprehensive statute, suitably defining the duties of the department which may be charged with its execution. Every possible means should be provided to safeguard the people against imposition through skilful adulterations and to prevent the sale of adulterated or improperly branded foods. To attain the desired results, the public should be apprised in an appropriate manner of the results of analyses and the progress made in the enforcement of the law. Frequent reports or bulletins would contribute to this end, serving as a vehicle of useful information and also as an indication of the effectiveness of the state's supervision. Congress has recently legislated upon the general subject with reference to interstate commerce, and efforts should be made to promote harmony between the work of the federal and state authorities."

2 Jan. '07, p.24-25

- n **N. D.** Burke. ". . . Since the passage of this law your pure food commissioner, Professor Ladd, of the agricultural college, discovered that certain packages or cans containing food were short in weight, and, while the subject-matter of the law was broad enough to cover such a contingency, it was not expressed in the title, and therefore it is possible that the act, in so far as it relates to short weights, is unconstitutional, and I therefore recommend to you the reenactment of the law, with an amended title



which clearly expresses all of the subject-matter of the act, including short weights. . . ." 9 Jan. '07, p.4

- p Pa. Stuart. ". . . I . . . recommend to the careful consideration of the Legislature the advisability of such changes as will make the law protect both the people who are the consumers, and who might be imposed upon, and the retailer who unknowingly violates the law by selling the adulterated articles. In the consideration of this question I believe it would be well to inquire whether or not it is advisable to require the manufacturers, importers, and jobbers who sell such commodities to merchants in Pennsylvania to have resident agents upon whom legal service could be made, enabling the authorities to hold them responsible instead of the innocent retailers. I also suggest the advisability of making all pure food legislation conform as nearly as possible to the federal laws upon the same subject. . . ." 15 Jan. '07, p.8

- q Tenn. Patterson. ". . . I therefore recommend that the law now on the statute books be vitalized by an appropriation to make it effective, or a new food law be passed similar to the national food law, and I further recommend that the office of State Chemist be created, to be filled by a man of established reputation in his profession, and that he be given such assistance as may be necessary to carry out the provisions of the law. I further recommend that this whole subject be placed under the jurisdiction of the State Board of Health." 7 Jan. '07, p.12

Recommendations renewed.

1 Apr. '07, p.3

- r U. Cutler. ". . . There are some particulars in which further improvement should be secured in the near future. One is the more careful supervision of the dairy industry, and the more rigid inspection of sources of meat supply. Greater zeal on the part of local health officers would be very desirable, and the best way to secure it seems to be the allowing of a reasonable remuneration for their work. . . . The federal laws on meat inspection, patent medicines, pure food, and kindred subjects will serve as profitable models for your legislation, and it is most essential that state laws so vital to the health of the people shall be enacted." 15 Jan. '07, p.21-22

- s U. Cutler. ". . . The present Congress during its long session also passed a law making interstate regulations regarding pure foods. But on account of the fact that the law passed by Congress can not operate effectively on articles retailed within the state, and our law leaves articles of interstate commerce open to adulteration after they have reached the state, I think you should make enactments covering such articles, and protecting the people more fully against imposition. I give here a partial list of articles in common use which must be pure when imported into the state in bulk, yet may be adulterated before being retailed. And there is indisputable evidence that such adulteration is being carried on, especially in cases which the present state

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law does not cover. I speak of maple syrup, olive oil, spices, extracts, jams, jellies, honey, baking powder, liquors, linseed oil, and doubtless other articles. In the case of liquors, the present law seems to make no provision for prohibiting the mixing of inferior with better brands, and the concoction being sold under the name and at the price of the high grade ingredient. This also holds true of many or all of the other articles. It will be well for you to give careful consideration to this law, and so amend it that no article of common consumption can be adulterated and foisted upon the public." 15 Jan. '07, p.24

t **W. Va.** Dawson. ". . . Whether the passage of this national act will make less necessary a pure food law in this state I can not say; but I am of the opinion that we ought to have a law articulating with the national law, because the national law can only apply to interstate commerce. . . Such legislation should include the sale of patent medicines, which is one of the greatest frauds practised upon the people. Many of these so called remedies are poisonous, deleterious to the human organism, and their sale is worse than obtaining money under false pretense. Upon the label of every patent medicine there should be required to be printed in plain language the stuff of which it is composed. . . "

8 Jan. '07, p.85-86

u **Wis.** Davidson. ". . . Needed amendments to existing food and dairy laws should be made, necessary new laws enacted and the commission so strengthened that the important duties intrusted to it may be so discharged as to give the largest measure of protection to the public." 10 Jan. '07, p.36-38

961

## Milk and milk products

964

### Butter and cheese

a **Neb.** Mickey. ". . . The dairy interests of the state should also receive additional recognition. . . I suggest that one or two dairy inspectors be added to the office force of the food commission, whose duty it shall be to supervise the butter fat tests at all creameries and skimming stations and to establish a standard which shall be uniform over the state and just to both producer and manufacturer." 3 Jan. '07, p.7

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## Other articles of food and drink

998

### Liquors. Alcohol

a **Tex.** Campbell. ". . . I hereby designate and present to you for your consideration and for legislation, the following subjects . . . To provide an agency or agencies for the inspection of spirituous, vinous or malt liquors, or either, manufactured or sold in the state and for the collection by the state of fees for such inspection, and prohibiting the sale of such liquors not inspected, and generally regulating such inspection and sale." 22 Apr. '07

## PUBLIC HEALTH

### 1000 Meat. Fish (fresh)

#### 1004 Meats

- a U. S. Roosevelt. ". . . In my judgment it will in the end be advisable in connection with the packing house inspection law to provide for putting a date on the label and for charging the cost of inspection to the packers. . ." 3 Dec. '06, p.18

### 1020 Communicable diseases

*See also 1065, Nuisances; 1144, Communicable diseases of animals*

- a Tenn. Patterson. ". . . This Board [of Health] has requested me to recommend an 'emergency fund' of \$20,000, to be set aside to protect the people of the state from the introduction of yellow fever, smallpox and other contagious diseases, not to be drawn upon unless the necessity arises, and subject to the approval of the Governor. I think the request a most reasonable and proper one, and recommend it for your favorable consideration." 7 Jan. '07, p.11
- b Tex. Campbell. "Under existing law the people of those counties of our state known as the border counties have heretofore been charged with a greater portion of the burden incident to maintaining and enforcing quarantine at state lines than should be laid upon them, and ample provision should be made for the relief of these counties and for a more equitable distribution of this expense which is necessarily incurred in the interest of all the people." 16 Jan. '07, p.17

### 1026 Protective inoculation

#### 1027 Vaccination

- a S. C. Heyward. ". . . As will be seen by their [State Board of Health] report, the compulsory vaccination law enacted at your last session, has not proved satisfactory, and certain changes are necessary for its proper enforcement. . ." 8 Jan. '07, p.16

### 1030 Special diseases

- a Fla. Broward. "The prevalence of cancer among the people of this country is increasing to an alarming extent, and I recommend that you authorize and empower the State Board of Health to make such investigation and research as they may be able with the means and opportunity at their command, to discover some treatment or remedy that will control and cure this dread disease." 2 Apr. '07, p.34

#### 1042 Tuberculosis

- a Ala. Comer. ". . . Progressive states in all sections of the country are legislating for the prevention and suppression of the 'great white plague,' and I commend this subject to your earnest consideration." 15 Jan. '07, p.23

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- b **Del. Lea.** ". . . I recommend for your favorable consideration the advisability of creating a commission, with or without pay, as in your judgment may be best, to inquire into the best means of dealing with this scourge [tuberculosis] in an economical and efficient manner, and report to the Governor as soon as possible the results of its investigation." 1 Jan. '07, p.12
- c **Fla. Broward.** ". . . No state, in my judgment, has more a mission to humanity in this contest with consumption than Florida. With her favorable climate and the opportunity afforded for outdoor living she is peculiarly fitted for such treatment and management of this disease as modern investigation and methods have demonstrated to be the most successful. . . Persons afflicted with consumption should be promptly reported to the proper health authorities in order that such regulations as may be necessary to prevent the spread of this disease can be enforced and its location known. This should apply not only to the 'stranger within our gates,' but to the people of Florida as well. In this connection I wish to call to your attention, and urge upon your favorable consideration, the offer of Dr John E. Ennis of Narcoossee, Florida, made to the state through the State Board of Health, and receiving their sanction and indorsement. This philanthropic effort of Dr Ennis is the first organized attempt to do anything for the unfortunates afflicted with consumption, whether towards strangers or natives, in Florida, and he has generously offered to donate to the state in fee simple this valuable property, provided that the state, through the Board of Health, will appropriate funds to adequately conduct the experiment a sufficient time to determine the feasibility and practicability of such philanthropy. . ." 2 Apr. '07, p.35-37
- d **Ill. Deneen.** "Another problem which also presses for solution is the establishment of a sanatorium for consumptives not detained in other institutions. . . The State Board of Charities recommends an appropriation of \$150,000 for this institution. I concur in the recommendation. The experience of others shows that from 10 to 20% of patients in the incipient stages of consumption are cured, and that patients are restored to economic independence for from one to many years in 60% of cases. It is the plan, if this institution is established, to receive only hopeful cases. But the sanatorium would be more than a place of cure. It would be a place of education. Every consumptive who left it cured would disseminate knowledge regarding the prevention, treatment and cure of consumption. Public bulletins would be printed for wide distribution, showing the most advanced treatment advocated by medical science, so that the service of this institution would be given wide publicity, with beneficial results to the people of this and other states." 9 Jan. '07, p.8-9
- e **Kan. Hoch.** ". . . It is said that every state east of the Missouri river has one or more public institutions for the care

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of their tuberculous poor. It is also said that the German empire, noted for its progressive movements in scientific medicine, has over 200 such sanatoriums. The recommendation of the State Board of Health for the establishment of an institution of this kind is worthy of your most serious attention. . . "

8 Jan. '07, p.31-32

- f Or.** Chamberlain. "Tuberculosis has come to be recognized as a communicable disease, but aside from giving it this recognition little if anything is done to stay its progress. In a few of the states and in some of the cities laws and ordinances have been enacted for the purpose of staying the ravages of this dread disease, but nothing has been done in proportion to its importance to our civilization. Our people are not prepared for radical legislation on this subject, but I suggest the passage of a law which will require the teachers in the public schools of the state to deliver lectures at stated periods upon the subject of this disease, its cause, its communicability, the methods of treatment and the subject of the prevention of its spread. . . ." 16 Jan. '07, p.30

- g Pa.** Stuart. "The advance in medical science has demonstrated nothing more conclusively than that consumption . . . is susceptible of being cured by special treatment and care. . . Isolation and proper hygienic conditions are indispensable to curative treatment; and these may be secured by the establishment of hospitals, sanatoriums, and dispensaries for the afflicted who are unable to provide such relief for themselves. . . I can conceive of no monument to the cause of charity that is more worthy of the state's beneficence." 15 Jan. '07, p.5

- h U.** Cutler. "Statistics show that tuberculosis is on the increase in the United States. Yet in India, where there are 4,000,000 of people, poor and suffering from scarcity of good food and even of good water, the children are singularly free from this disease. This is said to be due to the fact that daily exercises in deep breathing are required of the pupils in the schools. Not only on account of tuberculosis, but from the general standpoint of hygiene, I recommend that the school law of Utah be so amended as to require this daily exercise both of pupils and of teachers." 15 Jan. '07, p.12-13.

- i U.** Cutler. "Regarding tuberculosis, which is becoming more prevalent all the time, the suggestion is made, and I approve of it, that provision be made for a place of detention for those afflicted with this disease. It seems to be the only method of preventing its spread." 15 Jan. '07, p.22

- j Wash.** Mead. State sanatorium for treatment of tuberculosis. 14 Jan. '07, p.37-38

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*Typhoid*

- a Fla.** Broward. ". . . In several of the larger cities of the state there have occurred more or less serious outbreaks of typhoid fever during the past year. . . The State Board of Health

does not exercise its jurisdiction over health matters in such cases, except upon the request of the local health authorities, and it should be empowered to take charge of such conditions and to make such rules and regulations as may be most effectual in controlling and preventing such outbreaks of typhoid fever and other diseases." 2 Apr. '07, p.34

1048 **Disposition of the dead**

1051 **Practice of embalming and undertaking**

- a **Ia.** Cummins. "There is nothing in the present law that authorizes the State Board of Health to establish proper regulations respecting the transportation of dead human bodies. In view of the legislation and practice of other states, it has become very important that our Board of Health shall have additional power. . . Closely connected with regulations relating to such transportation, is the qualification of undertakers and embalmers to prepare bodies for shipment, and the Board of Health should be authorized to examine persons who expect to perform such work, and to issue permits to those who are found to be competent. . ." 14 Jan. '07, p.9

1065 **Nuisances (general). Miscellaneous health regulations**

1079 **Pollution of water**

*See also 932, Public health; 2661, Sewerage*

- a **Cal.** Pardee. "The determination of the quality of the waters used for domestic supply for cities and towns, and for manufacturing and irrigation, is of equal importance with that of the available quantity. . . It has been found that certain streams are contaminated by certain of their tributaries and not by others, but to trace the source of such contamination to its head is a work of some magnitude. . . To prosecute this work effectively the Legislature will be asked to contribute \$2000 a year for the next two years, the general government contributing a like amount. This appropriation should be made." 7 Jan. '07
- b **Kan.** Hoch. Cooperation with federal government in the sanitary and industrial survey of the natural waters of Kansas. 8 Jan. '07, p.31
- c **N. J.** Stokes. "The condition of the Passaic valley should prove a warning to other sections against the improper use of the rivers and streams of our state. These natural highways, as Webster called them, were never intended to carry the refuse of civilization to the sea. In many of our waterways incipient pollution has already begun. The Delaware river when it reaches Philadelphia

## PUBLIC SAFETY

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consists, on an average throughout the year, of 20% pollution. Our bathing grounds are contaminated and threatened with ruin. Our oysters and shell fish need protection from the same danger.

The attempts of the State Sewerage Commission to remedy this growing evil and prevent conditions that in the near future would make unsightly and unhealthful sewers of our potable streams have met with regretful opposition. . . 8 Jan. '07, p.33

- d N. J. Stokes. "In this connection the acquisition of woodlands about the sources of our potable streams and the purchase by the state of our fresh-water lakes and ponds, of which there are 108 in New Jersey, with an acreage of about 14,000 acres, was suggested in last year's message. Thereupon the Legislature authorized the Riparian Commission, together with the State Geologist, to investigate the whole question of the potable water supply of the state with reference to state control of the same. The report of this commission will be presented in the immediate future. . . 8 Jan. '07, p.35

- e Tenn. Patterson. Pollution of waters. 7 Jan. '07, p.9  
Recommendation renewed. 1 Apr. '07, p.3

- f W. Va. Dawson. ". . . The law now provides that it shall be unlawful to 'throw in, or allow to enter, any stream or water course in this state, sawdust or other matter detrimental to the propagation of fish.' This law should be more comprehensive and framed in such a way as to prevent the pollution of the streams by refuse matter from these tanneries and the like, or from any other source. The present law requires it to be shown that the foreign matter, except sawdust, thrown in or allowed to enter is in such quantities or of such kinds as to be deleterious to the propagation of fish. This is found difficult and expensive to do. . . 8 Jan. '07, p.66-67

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## Public safety

. Protection of human life from accidents, casualties etc. See also 1313, Railroads

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## Fires

1093

## Fire marshals. Inspection

- a Ill. Deneen. "The enactment of a law providing for the appointment of a state fire marshal should receive your careful and favorable consideration. It is well known that a large part of the annual fire waste is attributable to carelessness or other preventable causes and to incendiarism. Such a law would undoubtedly have the effect of reducing the annual fire waste due to incendiarism or preventable causes, save annually a large amount of the material wealth and taxpaying property of the state and benefit the insured by effecting reduction in the cost of his insurance. Such a law is now in force in a number of states with most satisfactory results. It has been stated on

reliable authority that in the state of Massachusetts where a law of this character has been in force the aggregate fire loss in the state during five years preceding the establishment of the office of fire marshal was \$10,000,000 greater than for the five years of its existence and that the percentage of incendiary fires in the state was reduced during these two periods from 33½% to 5%."

9 Jan. '07, p.16

1099 **Buildings: sanitation and safety**

- a **Mich. Warner.** "The extension of the factory inspection system, so as to include schoolhouses, tenement or apartment houses, theaters and public halls, with a view to providing greater safety for pupils and the general public, is desirable." 3 Jan. '07, p.7

1110 **Tenement houses**

- a **Wis. Davidson.** ". . . The Legislature of 1903 ordered the Commissioner of Labor to make an investigation of the tenement and housing problem of our large cities, the results of which investigation have been published. . . I commend this report to your consideration, to the end that legislation may be enacted to meet the problems of a congested population, to deal with the construction of buildings used as multiple dwellings, their structures, safety, fire protection and ventilation and the establishment of a minimum size and hight for living rooms and habitable basements." 10 Jan. '07, p.38

1124 **Miscellaneous**

1128 **Boilers and engineers**

1129 **INSPECTION**

- a **Mass. Guild.** ". . . Under the present law boilers that are insured are exempt from state inspection and can not be inspected by a state inspector even if the owner so desires. This very objectionable feature of the law should be amended so as to give all citizens of the commonwealth the right to have state inspection as well as inspection by an insurance company. The law should also include a provision for enforcing the keeping by every engineer of daily records of the running conditions of every steam plant on forms to be supplied by the commonwealth's boiler inspectors. The number of boiler inspectors now in the employ of the commonwealth is insufficient even for the thorough inspection of boilers not insured. I recommend their increase. Ultimately the commonwealth must face the responsibility of examining every steam boiler within our borders by inspectors selected after careful examination, as at present, by the commonwealth. Such a policy would involve the employment of at least 100 trained men. The state can not afford to have official inspection con-



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ducted by any but the best, and only the practical difficulty of securing at once so large a number of men, specially trained, prevents my urging the adoption of this policy at this time."

3 Jan. '07, p.15-17

### 1144 Communicable diseases of animals

- a **Minn.** Johnson. Increased appropriation for indemnity for diseased animals killed; increased penalty for importation of diseased animals. 9 Jan. '07, p.54-55
- b **Neb.** Mickey. "The work devolving upon the office of the State Veterinarian has largely increased during the past four years, due to the adoption of more effective rules by both federal and state government and to the increasing number and value of domestic animals. . . The stock interests of the state need the protection which this office affords and you should see that this Legislature makes appropriations for traveling expenses and assistants adequate to present needs." 3 Jan. '07, p.11-12
- c **U.** Cutler. "Information has been received by me that certain diseases of animals are becoming prevalent in the state. . . It goes without saying that it is urgently necessary to prevent, as far as possible, the spread of this and other contagious diseases among animals. It appears to me that there are two means of accomplishing this. One is the establishment of a strict system of quarantine; the other, the appointment of a state veterinary surgeon. I believe that the first of these provisions would be largely ineffectual without the other. But I am also convinced that under the direction of a skilled veterinary, the farmers and stock raisers in different sections would, for their own protection, be willing to pay the expenses of local inspection and quarantine, leaving to the state the payment of only the salary of the veterinary. . . ." 15 Jan. '07, p.27-28

1147

### Indemnity

- a **Vt.** Bell. ". . . In my message to the General Assembly two years ago I advised the establishment of some date after which the state should cease to be responsible for nearly the full value of condemned cattle. I wish to emphasize this recommendation, for I believe that, with stringent police regulations governing the importation of stock and an enforced test of all cattle within the state, disease should soon be practically eradicated, and the state should be free from further expense in this direction." 4 Oct. '06, p.10-11

1151

### Special diseases

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### *Anthrax. Blackleg*

- a **Del.** Lea. "For the last two or three years certain portions of the state have suffered from the anthrax plague. . . The recurrence of this trouble the coming year is imminent. . . It

behooves you, therefore, to take into careful consideration measures which will effectually prevent its annual recurrence, and if possible finally to eradicate the plague. . . " 1 Jan. '07, p.13-14

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### Special animals

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### Sheep

- a Or. Chamberlain. "I am advised that because of the present condition of our laws with respect to the shipment of sheep, an expense of fifty cents per head is entailed on all sheep shipped from the state, except those that are shipped for immediate slaughter, and in addition to this the cost of dipping and the shrinkage occasioned thereby. Last year there were shipped from the state about 400,000 head, and it can be seen at a glance how expensive this is to the sheep men and woolgrowers of the state. Steps should be taken at once to eradicate scabies so as to remove this handicap against our citizens. . . " 16 Jan. '07, p.30
- b U. Cutler. ". . . The Board [of Sheep Commissioners] recommends the enactment of a state law making the quarantine of infected sheep outside the state more effectual; and I am of opinion that this should be done. . . " 15 Jan. '07, p. 26-27

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## Control of waters

See also 1384, Canals; 1393, Bridges; 1800, Navigation

- a N. J. Stokes. "Our potable water supply presents the most important problem before the people of the state. . . The creation of a state water supply commission to control and regulate the diversion of potable waters without interfering with present municipal or vested rights, or the vesting of some such power in a state board already in existence would seem to be necessary to save this valuable state asset. . . " 8 Jan. '07, p.36-37
- b N. J. Stokes. Recommends construction of storage dams on Passaic and Hackensack rivers. 8 Jan. '07, p.37-39
- c N. Y. Hughes. ". . . It is well to consider the great value of the undeveloped water powers thus placed under state control [in forest preserves]. They should be preserved and held for the benefit of all the people and should not be surrendered to private interests. It would be difficult to exaggerate the advantages which may ultimately accrue from these great resources of power if the common right is duly safeguarded." 2 Jan. '07, p.25
- d N. Y. Hughes. "By the act creating the Water Supply Commission it is provided that no municipal or public corporation or public board or any private person or waterworks company engaged in supplying any municipal corporation with water should acquire lands or additional sources of water supply save as the commission determines, among other things, whether the plans

## CONTROL OF WATERS

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proposed are justified by public necessity and are equitable in their relation to other divisions of the state. It also has important powers with reference to river improvement. It remains to be considered whether it is not advisable to provide a more comprehensive plan, embracing in a clearly defined way the matter of water storage and the use of water courses for purposes of power. The entire question of the relation of the state to its waters demands more careful attention than it has hitherto received in order that there may be an adequate scheme of just regulation for the public benefit." 2 Jan. '07, p.26

- c N. Y. Hughes. Recommends "provision for inquiry and the formulation of plans with reference to the development of water powers and their proper control and regulation by the state."

4 June '07

- f Or. Chamberlain. Recommends liberal appropriations for betterment of waterways, acquiring locks at the Falls of the Willamette and continued maintenance of the portage railway at Cascade locks, as an aid in solving rate regulation; that the Board of Portage Commissioners be composed of others than the Governor, Secretary of State and State Treasurer.

16 Jan. '07, p.19-22

- g Wis. Davidson. ". . . The indiscriminate granting of franchises has retarded development rather than promoted the investment of capital. Chapter 521 of the laws of 1905, which provides for the termination and forfeiture of all franchises unless construction is begun in good faith within four years from the date of the grant, has preserved much valuable property of the state. There is need for additional legislation requiring a more specific description in charters of the location of every proposed dam, and making a uniform provision for fixing the legal height of such structures."

10 Jan. '07, p.45-46

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### Irrigation. Water rights in arid states

- a Cal. Pardee. ". . . Careful investigations are being made into the extent and probable permanency of subterranean water-bearing strata throughout the state. The importance of this work may be judged from the fact that two thirds of the irrigated area in southern California is now being supplied with water by irrigation from wells, and that the single community of Pomona has \$565,000 invested in pumping plants. One fifteenth of the entire expenditure of the United States government for this kind of work is being expended in California. Our state Legislature has appropriated \$35,000 to carry on this work for the four years ending June 30, 1907, and it is estimated that it will require \$25,000 as the state's share for carrying on the work the next two years, the increase to be devoted to investigations of underground waters. So far, only one third of the expenditure has been devoted to this

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work, and two thirds to investigations regarding surface waters. I earnestly recommend that this appropriation of \$25,000 be made."

7 Jan. '07

- b **Mon. Toole.** ". . . This [Irrigation Code] Commission entered upon the discharge of its duty impressed with the great responsibility of its task and has, as I believe, conscientiously discharged its trust. Some of the results sought by this proposed code as understood by the commission and set forth in its report are briefly as follows:

1st. The just and early adjudication of the many conflicting uncertain water rights now recorded, and this at the least possible cost.

2d. The full and prompt protection of water right users, without costly litigation.

3d. To afford the person or company now owning or hereafter acquiring a water right clear and indisputable title to the same.

4th. To make beneficial use the basis, measure and limit of rights.

5th. To prevent water waste.

6th. To have all records relating to water rights tabulated by stream systems and accessible to the public at the State Engineer's office, so that titles may be easily ascertained.

I bespeak for this code and the report of the commission your careful and favorable consideration."

8 Jan. '07, p.35-36

- c **N. M. Hagerman.** "The last Legislature passed a very comprehensive law creating the office of Territorial Irrigation Engineer and to promote irrigation development. In many respects the law was a good one, but from the experience of the past two years it has in general proven too extensive to be properly carried out in New Mexico. . . . The most useful work that can be done by the Territorial Irrigation Engineer is to obtain and compile full and accurate statistics in regard to the flow of streams and irrigation possibilities of the territory, for the purpose of encouraging the construction by private capital, or otherwise, of irrigation enterprises, which will inure to the benefit of the territory. The law provides for such work, but very little has been done. Much of the future prosperity of the territory depends upon the work done within her boundaries by the National Reclamation Service. . . . I have received intimations from the engineer in charge of the Reclamation Service, that he would be willing to cooperate with the territorial authorities in hydrographic work and in investigations of matters pertaining to irrigation. In a number of western states they have already arranged a satisfactory form of cooperation with the State Engineer. In such cooperation the federal government generally contributes one half of the expenses and the state or territorial government the remainder, frequently by utilizing suitable appropriations made for state engineering operations. . . . I recom-

## CONTROL OF WATERS

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mend that all that part of our law relating to the Board of Control be repealed and that our efforts, at present at least, be confined to the operations of the Irrigation Engineer himself, on such lines as will bring about the desired cooperation with the federal government." 21 Jan. '07, p.33-34

- d . Or. Chamberlain. "Another serious trouble will be encountered in the near future because of the want of a code of laws defining water rights and water titles and preventing the monopolization of the water powers of the state by private interests. . . Realizing the importance of this subject, the Portland Board of Trade some time since put on foot a movement which resulted in the framing of a bill by a capable committee covering this whole subject. . . I earnestly call your attention to the code framed by the committee mentioned, and beg you to be extremely cautious about making any changes in a proposed measure which has been framed after weeks of deliberation and consultation by a committee having the best interests of the whole state at heart." 16 Jan. '07, p.15-16

- e S. D. Elrod. "The last Legislature passed an irrigation code. It needs some minor modifications." 8 Jan. '07, p.43

- f U. Cutler. ". . . As the next Irrigation Congress is to be held at Sacramento, California, this year, I would strongly urge an appropriation for Utah's participation. . ."

15 Jan. '07, p.29-30

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### *Arid land grant*

- a Or. Chamberlain. ". . . The reclamation of these [desert] lands under the Carey act and the acceptance of said act by the Legislature of this state has been a source of great anxiety to the board, because of the imperfections in both the federal and the state law. These troubles, which have seemed great to the board during the past four years, will grow greater with the coming years unless the law is made more definite in its terms along the line of the recommendations made by the board in its report." 16 Jan. '07, p.15

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### *Waste*

- a Cal. Pardee. ". . . Next to the quantity of water available, and the quality of it, must be ranked its economical use, for only by economy in use can all the arid lands of our state be finally brought under successful tillage. . . The Legislature will be asked for \$10,000 a year for the next two years for continuing this important work, and I recommend that the appropriation be made." 7 Jan. '07

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### *Artesian wells*

- a N. M. Hagerman. "The law providing for the inspection of artesian wells and the creation of artesian districts passed by the last Legislature, has proven a very wise and useful one. . . There

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are now 301 wells in Chaves county and 166 in Eddy county. Careful quarterly inspections made of the wells in both counties show considerable variance in the pressure at different times of year, dependent apparently, in some degree at least, on the amount of water used. The change in pressure varies in different parts of the district but the result of the observations for the past two years undoubtedly shows a somewhat decreased flow throughout the district, slight in some places and more pronounced in others. Whether this decrease will continue is not certain. If it does, the suggestions made that action should be taken to limit the number of wells drilled should be considered. . . " 21 Jan. '07, p.34-35

- b S. D. Crawford. "I learn from men of the most wide practical experience in this state, as drillers of artesian wells, and from geologists who have scientific knowledge upon the subject, that the great waste of water from the artesian basin caused by the sinking of numerous wells in close proximity to each other and unchecked and constant flow therefrom, together with the loss of water into upper stratum in cases where the pipe and well casings have rotted out, is materially diminishing the water supply and pressure and threatens to greatly impair, if not to ultimately destroy the invaluable benefits now enjoyed from this great subterranean water reservoir. Legislation is proposed for the purpose of regulating the sinking of these wells and the use of water therefrom. This legislation is entitled to your best thought and care." 8 Jan. '07, p.42

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### Drains. Dikes. Levees

*See also 1183, Irrigation*

- a Ark. Little. ". . . I need only to . . . solicit your prompt and careful consideration of all needful and beneficial legislation looking to the betterment of the levee and drainage interests in the state." 18 Jan. '07, p.12
- b Minn. Johnson. Drainage of 2,368,000 acres of school lands. 9 Jan. '07, p.44-45
- c N. D. Burke. "The conditions prevailing in the Red river valley for the past several years require of us, at this time, some additional legislation on the subject of drainage. . . In this connection I call your attention to the fact that in 1905 21 states and 3 territories passed drainage laws which may be found in the state library and which no doubt will be of great assistance to you in the enactment of a drainage law. I have referred particularly to the Red river valley on account of the great necessity for drainage in that portion of the state, but there are many acres of land in other portions of the state that can be reclaimed by a proper system of drainage." 9 Jan. '07, p.11
- d U. S. Roosevelt. Urging Congress to take action to avert the threatened destruction by the overflow of the Colorado river in the Salton Sink region. 12 Jan. '07

Pollution of water, *see* 1079

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## Transportation and communication

*See also* 1800, Navigation

- a Ct. Woodruff. ". . . The Railroad Commission should by statute have authority to prevent the issue of stock by any railroad company or telephone company until the par value thereof or such amount in excess of the par value as the company shall require to be paid, has been paid to the company in cash. Authority to issue stock, bonds, or other evidences of indebtedness should be secured by any railroad or telephone company only after application to the Railroad Commission, and by that commission granted in writing, the applicant corporation to state the amount to which, and the purpose for which, such issue of stock or bonds is sought. And proceeds of such stock or bond issue should not be applicable by any railroad or telephone company, receiving permission to make such issue, for any other purpose than that authorized by the Railroad Commission. The railroad commissioners should also be given power to change or move or eliminate grade crossings and to remove all obstructions to view at grade crossings, such as buildings, trees, embankments, poles, or anything else that prevents a free and unobstructed view of the track for a reasonable distance in each direction. The Railroad Commission should also be vested with the right to regulate and supervise the rates to be charged for service by any and all telephone companies. This raises the question of rates that should be permissible for service by such corporations. Provision should be made that 25 or more subscribers should have the right to petition the Railroad Commission with reference to grievances, either as to service or as to rates charged by such telephone company, and upon receipt of such petition the commission should be required to hold a public hearing before rendering a decision. Further provision should be made for the right of appeal by either party should such complainant party or corporation feel aggrieved at the decision of the Railroad Commission — appeal to be made to any judge of the Superior Court . . .

It is therefore high time that this General Assembly took under consideration the enactment of legislation that will prevent a repetition of these harmful practices. I would earnestly recommend that this General Assembly, through its judiciary committee, hold hearings early upon this proposition and that your judiciary committee be instructed to recommend such legislation as it shall deem advisable, so that the General Assembly of 1907 shall not adjourn without having done remedial and constructive legislation along these lines. . . ."

12 Feb. '07, H. J. p.454-55

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b **Fla. Broward.** "I would further recommend that the express companies, the telegraph and telephone lines of the state be placed under the jurisdiction of the Railroad Commission, with such powers as may be necessary to control the character and maintain the efficiency of the service, and to regulate the rates charged therefor." 2 Apr. '07, p.21

c **Mon. Toole.** "I renew the recommendation made to the Ninth Legislative Assembly for the creation of a railroad commission with full power to regulate rates within the state. Inasmuch as Congress has recently legislated on the same subject as applied to interstate commerce, I think it wise to frame our legislation for state regulation as far as practicable in harmony with the national act, thus giving our commission the benefit of the experience and research of the interstate commission in the establishment of rules of practice, methods of procedure, and precedents. Express companies, sleeping car companies, telegraph companies, interurban electric companies and interurban telephone companies should all be treated like the railroads and put under the control of the railroad commission, and the law should vest in the commission the authority to exercise any control necessary for the most ample protection of the public. It is generally known that the bill passed at the ninth session relating to this matter did not meet with my approval and failed on that account. The main objections then urged to that bill were:

1st. The Legislature invaded the province of the executive in assuming to name the commissioners.

2d. That, whether expressly prohibited or not by the Constitution, the exercise of such power of appointment by the Legislature as a matter of public policy ought not to be regarded as a legislative function.

3d. The appointees held over two general elections, contrary to the provisions of the Constitution and violative of that practice which ought to obtain by which the will of the people can be expressed at frequently returning periods.

4th. No provision was made for the removal of the commission or any member thereof.

I may add that the commission, in my opinion, ought not to have more than one member of any political party upon it if we are to expect with confidence equal and exact justice to the people on the one hand and the railroads on the other. . ."

8 Jan. '07, p.11-12

d **N. C. Glenn.** ". . . In regard to all railroads intrastate, the [Corporation] Commission should be given (if it does not already possess it) full, ample, and complete power to regulate and adjust all passenger and freight rates; to prevent all unjust discriminations, to require all connecting lines to make close connections, and have union depots; to require all railroads to run on schedule time, and on failure without just excuse, to be penalized; to order



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the adoption of an interchangeable mileage book; to make all necessary orders regulating all matters concerning railroads and other corporations, and then be given power to enforce its orders by contempt proceedings or penalties. In regard to interstate matters affecting railroads, where there is complaint, the commission should be required to take all needed evidence, find its conclusions of fact and law, and present its report to the United States Interstate Commerce Commission, for its action; and if that body refuses to right the wrongs complained of, to carry the matter before the judicial or legislative department of the government. . . . The commission should likewise be required, and given full power, to regulate and establish rates for all telephone systems, and compel different telephone lines, for reasonable compensation, to make arrangements for transmitting messages from other lines over their own lines. Also, in every way needful, to control and regulate steamboat lines, telegraph lines, and express companies. . . . I repeat: Give the Corporation Commission full power to act, and then require them to act; for a commission without power, or that has the power and does not act, is worse than no commission." 9 Jan. '07, p.10-11

- c **W. Va. Dawson.** "The Railroad Commission should also have the power to supervise the operation and regulate the rates of express companies, sleeping car companies, telegraph and telephone companies, and other like common carriers and public service corporations." 8 Jan. '07, p.39-40

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## Rates. Discrimination

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### Discriminations

- a **Ala. Comer.** "I recommend laws prohibiting the giving of rebates by common carriers in this state and prohibiting the acceptance of same by shippers." 15 Jan. '07, p.8
- b **Cal. Pardee.** ". . . The State Constitution contains a stringent provision forbidding just such discriminations as have been described . . . . Nothing could be clearer or more positive than that constitutional declaration, but although another section says that 'the Legislature shall pass all laws necessary for the enforcement of this article,' it has failed to do so in the matter of rate discriminations. The Constitution itself provides no penalty for violation of the prohibition of discriminations, and no statute on the subject can be found. It is true that section 489 of the Civil Code purports to fix maximum rates, but the Supreme Court has intimated that this is no longer in force, and it does not touch upon the subject of discriminations. Consequently, as matters now stand, any railroad which chooses to do so may, in spite of the absolute prohibition by the Constitution, proceed to practise such discriminations in intrastate commerce as could not be practised in interstate commerce without inviting the severe penal-

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ties of the federal law. These discriminations may be carried even to the extent of destroying independent business concerns and aggrandizing the trusts, and bring down no legal punishment on the heads of the authors of such acts. There is crying need of a punitive law, and I call the subject to the serious consideration of the Legislature." 7 Jan. '07

- c Mo. Folk. ". . . While rebates on interstate shipments must be covered by federal law, there should be a stringent state law on this subject, and I recommend the enactment of a statute providing proper penalties for railroad corporations or the directors, employees, or agents of any railroad giving rebates on shipments within this state." 2 Jan. '07, p.22

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### Rates (general)

- a Ala. Comer. ". . . I recommend the enactment of laws fixing a maximum freight rate not to exceed the present freight rate in this state. In order to give to the freight payers of Alabama the quickest relief and the surest relief, I recommend that you enact a statute naming the classification and rates of freight on all the articles of common manufacture, production, consumption and use not to exceed the present classification and rate on such articles in the state of Georgia, which rates shall not be increased except by statute, but may be reduced by the railroad commission of the state, or by the carriers themselves.

I recommend the enactment of a law, fixing a maximum passenger rate of 2½ cents per mile on all railroads in Alabama."

15 Jan. '07, p.5-6

- b Ala. Comer. ". . . I . . . suggest that any railroad which owns and operates any other railroad in the state, shall be required to have one general freight tariff, and the cost and charge of the freight shall be based on a mileage as one continuous line and not as the sum of two locals. . ." 15 Jan. '07, p.7

- c Ark. Little. ". . . The railroad companies, when they fail to do so, should be required to charge no more or higher rate than is fair and reasonable, and equal facilities should be afforded to all shippers without favoritism or discrimination, and, if the powers of the railroad commission need enlarging and strengthening to enable them to compel the observance of these just and fair regulations, you ought to confer it upon them by proper legislation. Under our law as it now stands the general rate of three cents per mile is allowed to be charged passengers. It is believed by many that a general reduction of this rate to two cents per mile will be fair and reasonable, and that the increased travel would largely compensate for the reduction in rate. . ." 18 Jan. '07, p.7-8

- d Col. Buchtel. ". . . One of the important questions you will need to consider is whether the Railway Commission will have authority to approve a special rate which a railway company

may make on raw materials to aid a manufacturing plant in the beginnings of its life when it is in competition with the gigantic manufacturing establishments of the east—said special rate of course to be made public. . .” 8 Jan. '07, p.23-24

- e **Kan. Hoch.** “. . . If railroad rates in this state are to be made equitable, an expert equal in ability to those employed by the railroads themselves in fixing the schedules in the first place must be employed by the state. The absolute necessity, also, of an authoritative estimate of the value of railroad property in Kansas, in order that the question as to what is a reasonable rate may be intelligently decided by the commissioners, is apparent to every student of the subject. Constant complaint is made that freight rates are excessively high in Kansas, altogether out of proportion to the rates charged in other states. . .”

8 Jan. '07, p.4

- f **Mass. Guild.** “The present law provides that where a change in rates or fares is reasonable and expedient the Railroad Commissioners shall in writing inform the corporation of its recommendations. I suggest the extension of the statute. If in the future any railroad proposes to increase freight rates or passenger rates, if in the future any railroad proposes to withdraw or curtail existing privileges of any kind it should face a new, clear and explicit statutory provision that any increase in charges by common carriers, any curtailment of privileges enjoyed by passengers or shippers can only be made after a public hearing and the written approval of the Railroad Commissioners. . .”

5 June '07

- g **Minn. Johnson.** “. . . I would recommend the appointment of a joint legislative committee with a view of making a study of the prevailing conditions as to the various rates of transportation and establishing a distance tariff law, which will bring some measure of prompt relief. . . In addition to reduction of rates, stringent laws should be passed at this session of the Legislature, in harmony with those of the general government pertaining to interstate commerce, which would serve to make impossible the granting of rebates and special privileges to classes in the handling of state business.” 9 Jan. '07, p.20-23

- h **Minn. Johnson.** “It is of the highest importance that an order made by the Railroad and Warehouse Commission, with reference to rates or classification, should go into effect within a reasonable time, not to exceed 30 days, after the order is made and should remain in effect until modified or reversed on appeal . . . The orders of the Interstate Commerce Commission pertaining to rates under the new government rate law, and of the Iowa Railroad Commission under the distance tariff law, are prima facie legal rates after a given day, notwithstanding appeal, and stand as such until the proper court has adjudicated otherwise, and this should be the rule of law in Minnesota, if the orders of

the state commission are to have the authority and effective influence which the general interests of the state demand."

9 Jan. '07, p.24-25

- i **Mo.** Folk. ". . . In my opinion the present [maximum freight] law should be amended so as to make the penalty for its violation apply to persons, corporations and partnerships. The present penalty clause applies only to railroads. It should also be amended so as to include coal, lumber and other products."

2 Jan. '07, p.21-22

- j **Mo.** Folk. "It would be unfortunate if this General Assembly should adjourn without enacting a statute curing the faults in this freight rate law. . . The statute enacted by the last General Assembly is defective in the penalty clause, which applies only to railroads. The penalty should be made to apply to persons, corporations and partnerships. The cattle clause should be corrected in the light of the testimony adduced in the freight rate litigation so as to fix these rates at an amount that will stand the test of the judicial crucible. . ."

27 Feb. '07, p.3

- k **Neb.** Sheldon. "In regard to the railroad legislation that you are about to enact, permit me to offer these suggestions:

1st. It is recommended that a law be passed prohibiting any railroad company from charging in the future any more between points within this state than were the charges on the first day of January, 1907; compelling them also, to furnish to the railroad commissioners all tariffs and classifications in force on that date.

2d. Inasmuch as the constitutional amendment providing for the Railroad Commission does not definitely define the powers and duties of that commission, a law should be passed immediately that will clearly, simply, and unmistakably define its powers and duties. Besides defining the duties of the commission, there should be conferred upon it the power to prohibit rebates, special rates, and discriminations of every sort to any particular person, company, firm, corporation or locality; and power to change, or alter, any or all schedules, classifications or tariffs that are in force on any railroad in this state at any time, so that the rates, fares and charges shall be reasonable, just and equitable. Let this law be written so plainly that it can not be misunderstood, and with such deliberation that it can not be set aside by the courts.

3d. It is recommended that you deprive the railroads of the right to enjoin the enforcement of a rate made by the commission pending an appeal to the state courts.

4th. It is further recommended that you pass a joint resolution memorializing Congress to pass a law that will deprive common carriers from enjoining the enforcement of rates made by a state commission between points within a state pending an appeal to the federal courts."

3 Jan. '07, p.42

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- n **N. D. Burke.** "... The regulation may be direct legislation or the power to make such reasonable regulations may be delegated by the Legislature to the Railroad Commissioners. The latter is the more practical, if your railroad commissioners will act, or if your law delegating to them the power is sufficient to compel their action. The reason why such a law is the more practical is because it is very difficult to make a hard and fast rule fixing passenger and freight rates and the furnishing of cars and equipments. Reasonable rates under certain circumstances and conditions might be unreasonable under different circumstances and conditions, and with the power in the Railroad Commissioners, the conditions could always be met with a reasonable regulation.

We have had, however, since 1897, a law containing a mandatory provision requiring the railroad commissioners to make a schedule of reasonable maximum rates for the transportation of passengers and freight in this state, the law referred to being section 4343 of the Revised Codes of 1905. If this law is enforced it is probably sufficient, so far as a delegation of power to the Railroad Commissioners is concerned. If you should conclude that the power should not be delegated to the commissioners, but that the rates should be fixed by statute, you should be governed in fixing the rate by the rule laid down by the Supreme Court of the United States in the case of the Chicago, Milwaukee & St Paul Railroad Company vs. Tomkins, 176 United States 167, viz: 'The unreasonableness of the schedule of rates for local business of a railroad company must be determined by a comparison of the gross receipts of the road and the cost of operating it.' The question of fixing passenger and freight rates I recommend to your sound discretion and best judgment, feeling certain that you will find on investigation that the local freight and passenger rates are unreasonable and that your action thereon will be fair and just to the railroads and to the people." 9 Jan. '07, p.7-8

- p **W. Va. Dawson.** "... All trunk railroads should be required upon application to make prompt connections with branch and lateral lines, and prorating arrangements with such lines upon fair and reasonable terms; also to make through rates for such branch and lateral lines; and be required to allow something to the short lines connected with them for originating freight. . ." 8 Jan. '07, p.36-37

- q **Wis. Davidson.** "... The cost of railroad properties must be considered as an element in determining rates as the earnings of the corporation must provide for the expense of maintenance and repairs and reasonable returns upon the capital actually invested. I therefore recommend that the State Railway Commission be clothed with adequate power to determine the value of the railway properties of the state and to employ such experts as may be required to aid in this work." 10 Jan. '07, p.18

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## Passenger rates

- a Ind. Hanly.** "With free transportation eliminated there is no just reason why the maximum passenger rate of steam railways in Indiana for intrastate travel should not be fixed by law at two cents per mile. There should be a provision that the minimum price of a ticket should not be less than 5 cents. It will also be but just to the railway companies that provision be made permitting them to charge a cash fare on trains of not to exceed 2½ cents per mile where the passenger has been given opportunity by the company to purchase a ticket at a regular ticket office before entering the cars. Such legislation will be of substantial benefit to the traveling public. The wealth and the population of the state amply justify it. Its operation will not injure the railroad companies. Their passenger receipts will not be diminished. The reduction of fare will be offset by the increased travel resulting therefrom. This has been the effect of similar legislation in other states, and there is no reason why the effect should be different here. I take it you will enact a law in this behalf since most of you come with instructions from your constituents to do so."
- 10 Jan. '07, p.57-58
- b Ia. Cummins.** ". . . For my own part, I am deeply convinced that a reduction in the passenger rate is fully warranted, and I therefore earnestly recommend the substitution of a 2 cent rate for the existing 3 cent rate. . ."
- 14 Jan. '07, p.27-31
- c Kan. Hoch.** "I recommend the appointment of a committee early in the session to hear arguments for and against a proposition to reduce railroad fare in this state. Let both sides have a full and fair hearing, that the interests of the traveling public may be subserved without arbitrarily doing that which may be unjust to the transportation companies. A reduction of railroad fare is sure to come. It is only a question whether or not that time has arrived. I have given the subject much thought and study, and believe that, with the abolition of free passes and the stimulus to travel which a reduction of fares would create, the companies would not be serious losers by the reduction, while the public, of course, would be immensely benefited."
- 8 Jan. '07, p.3-4
- d Mich. Warner.** ". . . I am of the opinion that the law of this state should be amended so as to make the maximum passenger fare that may be charged in the upper peninsula 3 cents per mile, and the maximum rate in the lower peninsula, with the possible exception of that charged by a few independent companies whose passenger earnings are less than \$1000 per mile, 2 cents per mile. The Legislature can, I think, be depended upon to deal justly with the smaller independent roads to which reference is made. Two years ago I called attention to the fact that several railroad companies whose passenger earnings had passed the limit fixed by law for a decrease in passenger rates had, after

demand for such decrease had been made by proper state authority, been enabled to continue to collect the higher rate for several years pending the final disposal of an appeal to the courts. In that message, while recognizing the right of the companies to such appeal, I suggested that much of the litigation could doubtless be averted if there was enacted a law providing that whenever the courts did not sustain the appeal of the company in such cases, said companies be required to pay into the state treasury an amount equal to twice the excess of passenger fares collected during the pendency of the cases in court. . . "

3 Jan. '07, p.23-24

- e **Mich. Warner.** ". . . I, therefore, renew my former recommendation that the law be amended so as to make the maximum passenger fare that may be charged in the upper peninsula 3 cents per mile, and the maximum rate in the lower peninsula, with the possible exception of that charged by a few independent companies whose passenger earnings are less than \$1000 per mile, 2 cents per mile. . . "

26 Apr. '07

- f **Minn. Johnson.** ". . . The time has come in our state when relief is also demanded in the matter of passenger rates. The current fare for the carrying of passengers now is 3 cents per mile. It is recognized that the average fare per mile paid by persons who travel on railroads does not exceed 2.03 cents per mile. A maximum rate of 2 cents per mile should be fixed by law and fixed now. . . "

9 Jan. '07, p.23

- g **N. C. Glenn.** ". . . I . . . recommend that there be only one fare, and that the rate be fixed at 2½ cents per mile, and the mileage book at 2 cents per mile. . . "

9 Jan. '07, p.9

- h **Pa. Stuart.** "I most earnestly recommend legislation that will secure a rate not exceeding 2 cents per mile upon all railroads within the commonwealth, and such further legislation as will require the sale of mileage books at a rate not exceeding 2 cents a mile, without the requirement of a 10 dollar deposit and without any other obnoxious regulation or restriction attached."

15 Jan. '07, p.8

- i **Tex. Campbell.** "The passenger rate now paid by those not favored with free passes should and I recommend that the same be reduced to 2 cents per mile. The present and growing volume of passenger traffic in Texas warrants such reduction."

16 Jan. '07, p.6

- j **Tex. Campbell.** ". . . I hereby designate and present to you for your consideration and for legislation, the following subjects. . . To regulate and fix the passenger fare on all railroads in this state and to provide for the redemption of all railroad tickets sold."

22 Apr. '07

- k **W. Va. Dawson.** "There has been much agitation concerning a maximum rate of 2 cents a mile for transportation of passengers on all railroads in this state. . . As to those railroads which

are carrying passengers for 2 cents a mile by issuing mileage books for which the buyer pays a net price of 2 cents a mile, there can be no doubt that you have both the legal and the moral right to prescribe the maximum rate of 2 cents, because the railroads have made that rate themselves. . . . As to the other railroads which have not established by the selling of mileage books a rate as low as 2 cents a mile, there is a more serious question. There are a number of short independent lines in this state, which may not be able to carry passengers at that rate. I suggest that the matter be left to the investigation and action of the railroad commission. . . ."

8 Jan. '07, p.37-38

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**Passes. Franks**

- a Ala. Comer. "I recommend the enactment of laws imposing adequate penalties on common carriers or public service corporations for the issuing of free passes of every character and the rendering of free service of every character to any person or persons, except actual bona fide employees and members of their families. . . ." 15 Jan. '07, p.11-12
- b Ga. Smith. "I urge also the passage of a bill which will put an end to the free pass system between local points in Georgia. . . ." 29 June '07, p.5
- c Id. Gooding. ". . . I sincerely hope that this promise to the people will be kept by the enactment of a law prohibiting the use by any state or county official of favors at the hands of railroad, telegraph and telephone companies. I feel that you should go farther and prohibit the issuance and use of free transportation by all citizens of the state, unless actual employees of the railroad, telegraph or telephone company issuing the pass. A law following along the lines of that passed at the last session of the national Congress, which only allows issuance of passes to employees, ministers of the gospel, and persons engaged in charitable and religious work, I feel would meet with general approval, and prevent the control to a large extent, of political parties by the great corporations doing business in Idaho." 8 Jan. '07, p.24-25
- d Ill. Deneen. ". . . I recommend that a comprehensive law be enacted in this regard with a view to abolishing the use of railroad passes, modeled after that enacted by Congress at its last session. . . ." 9 Jan. '07, p.37
- e Ind. Hanly. "Two years ago I urged upon the General Assembly the necessity of antipass and antifrank legislation. . . . Every citizen is entitled to use a public service corporation under like circumstances upon the same terms as to cost and accommodation. Anything else is discrimination, and should be inhibited by law. . . . I therefore repeat the recommendation I made. . . ." 10 Jan. '07, p.56-57
- f Ia. Cummins. ". . . The constitutionality of the existing statute was at one time questioned, but the case in which it arose was determined upon another issue, and therefore the validity of



the law is still undecided. I recommend the subject to you as one worthy of the most careful consideration. It is believed by very many of our manufacturers, as well as by a large proportion of our general shippers, that the law should be amended so as to confer upon the commission as complete power to establish a schedule of joint rates, embracing all railroads and all traffic, as it now has to promulgate a schedule of rates over single lines."

14 Jan. '07, p.32-33

- g Ia. Cummins.** ". . . Congress has legislated upon the subject [passes], in so far as it relates to interstate carriage of passengers, much more effectually. I believe that the law of Iowa should be amended so as to conform to the law of the United States, and I recommend the enlargement of our statute so that what is unlawful for a railway company to do as between the states will also be unlawful to do within the state. I recommend further that you make such a definition of bona fide employees as will preclude the issuance of passes to persons whose connection with the company is either formal or created chiefly to give opportunity for free transportation." 14 Jan. '07, p.34

- h Kan. Hoch.** "I recommend the enactment of a law forbidding gratuitous transportation, except to actual railroad employees. Congress has enacted such a law covering interstate transportation, and Kansas should follow the example with reference to free passes within state borders." 8 Jan. '07, p.3

- i Minn. Johnson.** ". . . I urge most earnestly the early enactment of a law which will forever abolish the pass system in Minnesota." 9 Jan. '07, p.23

- j Mo. Folk.** "For many years in this state the giving of free railroad transportation to legislators and public officials has been prohibited. This law is now being enforced. I believe the law should go further and prohibit the giving of free transportation by railroads to any one except, possibly, employees. The federal statute which is now in effect forbids such transportation being given for interstate travel. The state law would apply to travel within the state. Railroads are public highways for public convenience. The charge for the carriage of persons and freight is in the nature of a tax on the public. It is just as unfair to permit a railroad to carry a part of the public free while it charges the rest of the public enough to make up for deadheads as it would be for a tax collector to release a portion of the population from taxes, distributing what these should contribute to the expenses of government amongst those who do pay and compelling the latter to bear the entire burden. With every one paying fare I submit to your consideration whether the railroads can not be fairly required to carry passengers at 2 cents per mile instead of 3 cents, now charged. . ." 2 Jan. '07, p.13

- k Mon. Toole.** "The same public sentiment which found expression in recent congressional action prohibiting the granting

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of passes by transportation companies engaged in interstate commerce is no less pronounced or applicable so far as transportation companies operating within this state are concerned. . . I recommend such legislation as will effectually prohibit the giving or acceptance of passes or free transportation in this state to such officers under no less limitations than are now prescribed by law for interstate roads and companies. . . I can conceive of no reason why the same principle which applies to a public officer should not apply to the private citizen as well. To say the least, it would remove that objection which discrimination always invites, however magnified such objection may be."

8 Jan. '07, p.12-13

- n Neb. Mickey.** ". . . I recommend that at as early a date as is practicable you add to our statutes a rigid antipass law, applicable to all cases save those of bona fide railroad employees, the members of their immediate families, and care takers of live stock. With the exceptions noted, a heavy penalty should be imposed both on the party who issues a pass and the party who solicits the same."

3 Jan. '07, p.15

- p N. H. Floyd.** "The voters of New Hampshire have demanded that the issue of free passes on railroads, especially to members of the General Court and state officials, should be prohibited by law, and as their servants we are in duty bound to obey their commands. I therefore recommend the enactment of a law embodying the recommendations of the platform, with such penalties for its violation as will make the law effective. At the same time the state should provide for reasonable transportation of members of the General Court between their homes and the capitol when in the discharge of their legislative duties. Laws to this effect should be passed promptly and go into effect at once."

3 Jan. '07, p.18

- q N. D. Burke.** ". . . A public official ought to be in a position where he can enact, enforce or interpret all law for the common good and general welfare of the public without embarrassment to himself, and this he will find hard to do while his pockets are full of railroad passes. I therefore recommend the enactment of an antipass law to further supplement the 'rate bill' and to enable the railroad companies in this state to reduce their rates for carrying passengers."

9 Jan. '07, p.6-7

- r Or. Chamberlain.** "At the last election a law was proposed by initiative to abolish free passes. The author of the law omitted to preface it with an enacting clause. It was, therefore, inoperative under the Constitution. Notwithstanding this fact, a majority of the people expressed themselves in favor of such a law, and I recommend its enactment by the Legislature, and an appropriation sufficient to pay the actual expenses of public officers while traveling on public business."

16 Jan. '07, p.23

s S. D. Elrod. "Public opinion demands that railway passes should not be used by officials. It is my judgment that you should promptly prohibit the acceptance of passes by all state, county and municipal officials. Railroad employees and their families are entitled to free transportation, they are in fact a very necessary part of the company which employs them. . . The newspapers of the state have done and are doing a great work in singing the praises of the state. . . It seems to me that it would be unwise for the Legislature to enact any law that would prevent the newspapers of this state receiving what is commonly known as newspaper mileage from the railroads for advertising. It is entirely immaterial what a man is paid with for his services. . . It has been the custom for many years for railroads to issue transportation to real estate men on certain conditions. Their work has been a benefit to all concerned, most of all to the people who have located through them in our state. . . It is right and proper that all who receive a benefit should pay for the same. If the railroads are willing to pay for such services with mileage there can be nothing illegal in such an agreement."

8 Jan. '07, p.5-6

t S. D. Crawford. ". . . This Legislature is in honor and decency absolutely bound to enact a strict and effective law abolishing the pass evil, and will undoubtedly do its duty at an early date. . . It is a well known fact that heretofore state officials have enjoyed the use of free transportation and while using it when traveling on behalf of the state, have frequently omitted the charge for mileage from their accounts. In making appropriations for these officers, you should grant such allowances for expenses as will enable them to purchase transportation when traveling in the service of the state."

8 Jan. '07, p.13

u S. D. Crawford. ". . . The measure passed by Congress was very thoroughly discussed from every standpoint by men of great ability and it may be that you can not do better than to enact it as the law of this state. If so, I suggest that the words 'agents' and 'attorneys at law' as used in the excepting clause be clearly defined so as to prevent the issuance of passes for political purposes to persons who were not in truth and good faith agents or attorneys of the company issuing them. Experience, observation and exceptional opportunities for noticing the effect of these favors upon men have thoroughly convinced me as they have many others, that the most seductive and dangerous influence at work in the field of politics and in official life today is the pass. It benumbs sensibility and acts like an opiate in dulling the edge of conscience. It is the equivalent,—nay it is more than the equivalent,—of the money its possessor would otherwise have to pay for the privilege it confers because the recipient is flattered by the compliment paid him and persuades himself that receiving or using the pass is not in any sense a

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bribe but rather an act of courtesy due to him because he has become a distinguished citizen of the state. Its influence is everywhere, in caucuses, conventions, legislative halls, courts and juries. Administrative, executive and ministerial officers, as well as party organizations and committeemen come within the range permeated by its mystic power. Congress recognized the necessity of abolishing it and the states are rapidly following with effective legislation. No half way measure should be passed; the evil must be abolished root and branch. . . ." 8 Jan. '07, p.17-18

- v **Tenn.** Patterson. "I call your attention to the following plank in the platform: 'We favor legislation that will prevent the acceptance and use by public officials of passes, franks or free transportation from transportation or other public service corporations,' and recommend such legislation as will carry it into effect."

7 Jan. '07, p.14

Recommendation renewed.

1 Apr. '07, p.4

- w **Tex.** Lanham. "The prohibition of the issuance of free passes by the railway companies has long agitated the public mind and has repeatedly received the approval of our political conventions. It has been brought to the notice and commended to the consideration of previous Legislatures. It should and doubtless will receive attention at this session. . . . It would be better for the people and allay their discontent, as well as for the railway corporations and increase their profits, if the practice of granting such transportation should be properly restricted. It would, perhaps, tend to keep public officials more regularly at their respective posts of duty and restrain absenteeism, if they were required to pay their fares as others have to do. It would do away with special favors and discrimination and place the traveling public upon a plane of equality. It might justify and eventuate in a reduction of passenger fares."

10 Jan. '07, p.19

- x **Tex.** Campbell. ". . . Measures to abolish the free pass evil call for immediate attention and prompt and decisive action."

16 Jan. '07, p.6

- y **W. Va.** Dawson. ". . . I submit that the Legislature should now come to the assistance of the railroads and make legal what they have voluntarily done, and enact laws prohibiting the issuing of passes by the railroads to any public officer or employee, and prohibiting any such officer or employee from accepting any such passes or free transportation."

8 Jan. '07, p.33-34

## 1240 Miscellaneous. Common carriers

- a **Pa.** Stuart. "Article 17, section 5, of the Constitution of Pennsylvania provides as follows: No incorporated company doing the business of a common carrier shall, directly or indirectly, prosecute or engage in mining or manufacturing articles for transportation over its works; nor shall such company, directly

or indirectly, engage in any other business than that of common carriers, or hold or acquire lands, freehold or leasehold, directly or indirectly, except such as shall be necessary for carrying on its business. . . It has been charged that this article is being violated by transportation companies within the state, and I therefore recommend that such legislation as may be necessary to make it effective be given the early consideration of the Legislature, in order that any violations of this law may cease." 15 Jan. '07, p-7

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**Loss or damage**

- a Ala. Comer. Recommends law to bring about prompt adjustment and payment of claims against common carriers.

15 Jan. '07, p.9

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**Prompt shipment. Demurrage**

- a Ala. Comer. ". . . I recommend laws that car service and demurrage rules be enforced by the railroad commission, treating both parties alike in the matter of forfeitures or pay for unreasonable detention and unreasonable service." 15 Jan. '07, p.7-8

- b Fla. Broward. "The power of the Railroad Commission as to the enforcement of the rules and orders in regard to the payment of demurrage for delayed freight or supply of freight cars upon such conditions as it may prescribe, should be ample and effective, and in the recovery of fines and penalties imposed by the Railroad Commission, a law similar to the present 'stock claim law' should be passed allowing the recovery of twice the amount of such fine or penalty, together with attorney fees, where it is necessary to bring a suit to recover the same." 2 Apr. '07, p.19

- c Ia. Cummins. ". . . If the railway companies are remiss in their duty of furnishing cars and moving them, they should pay for their delinquency, and if the shippers and consignees are negligent in returning cars to service, they should pay for their fault. I recommend the enactment of a law that will create a sufficient motive in both carriers and shippers to do their full duty in this regard." 14 Jan. '07, p.33-34

- d Mich. Warner. ". . . I recommend that, at the earliest possible moment, a committee be authorized to thoroughly investigate this whole question with especial reference to determining,

1st. Whether the several railroads operating within this state have made reasonable endeavor to provide sufficient car supply, motive power and terminal facilities to properly care for the business of their lines;

2d. Whether the territory within which Michigan is included is being discriminated against in the distribution of cars and in the return of cars for further service;

3d. Whether any section or sections of this state have been specially discriminated against in the matter of car supply;

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4th. If any of these complaints are found to be based upon reasonable grounds, that they make a definite report as to the lines or systems of railroad which are failing to furnish proper service;

5th. That this report be accompanied by recommendations of proper and just legislation to remedy the difficulty.

Understanding that the Interstate Commerce Commission is making an exhaustive inquiry along these general lines, I respectfully suggest that the committee to be authorized by you to make the investigation recommended cooperate with that body. . ."

3 Jan. '07, p.22-23

c Minn. Johnson. Reciprocal demurrage.

9 Jan. '07, p.24

f N. M. Hagerman. ". . . The sheep grower of New Mexico, like all other business men who depend upon the railroads for transporting their product, has during the past year suffered great financial loss through inability to secure cars, and the board suggests that the territorial Legislature, if it has any power to pass laws on this subject, should enact legislation either in the way of compelling the railroads to furnish cars upon reasonable notice, or in the way of giving intending shippers a right of action for damages actually suffered. . ."

21 Jan. '07, p.28-29

g N. D. Burke. ". . . I recommend the enactment of a law requiring the railroad companies to furnish a reasonable number of cars to shippers without discrimination. I am informed that in many parts of the state the railroad companies have discriminated in favor of certain shippers by giving them more cars and larger cars than other shippers in the same town. This should be regulated in such a way that no town would have an advantage over other towns with the same railroad facilities and no shipper would have any advantage over any other shipper. . ."

9 Jan. '07, p.8

h N. D. Sarles. "The car situation of the past several months has conclusively demonstrated the necessity of adopting some provisions tending to regulate, if possible, and prevent the recurrence of such conditions, and I trust that you will give this subject the consideration its importance justifies. Public service corporations should attempt what the name implies or pull down their signs, and the people through their legislative assembly are fully justified in adopting reciprocal provisions of law requiring more efficient service."

9 Jan. '07, p.12

i Or. Chamberlain. ". . . When a company fails beyond a reasonable time to furnish cars to a shipper it should be compelled to pay him a sum equal to that which the shipper would have to pay for failure to unload. . ."

16 Jan. '07, p.23-24

j U. Cutler. ". . . It is claimed by some citizens that the roads are purposely holding coal at various points, and refusing to supply the demand while amply able to do so. The absurdity of this claim is apparent when we consider the high price of coal,

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the large profit the railroads must make by handling it, and the strong business reasons they have for supplying it. To accuse the roads of holding back a commodity so profitable to them is to accuse their managers of an utter lack of business sagacity. From my observation I am convinced that it is mostly a question of shortage of equipment, caused by the increased business that has come to the roads. If this is the case, and I think it can not be successfully disputed, the remedy is more equipment or more railroads. If the present railroad service is inadequate to furnish the citizens of Utah with coal, then the service must be increased, or coal prevented from going out of the state until we are supplied. Yet there is enough coal in Utah to supply all the western states for centuries. Therefore, another alternative would be for the citizens to build railroads to the mines. The new federal law covering unjust discrimination, rebates, etc., is now in operation, and the roads will doubtless adapt their affairs to its provisions. Prudence and calm judgment should prevail, and every opportunity be given the railroads to clear up the situation and overcome present difficulties."

15 Jan. '07, p.46-47

**k** Wash. Mead. Reciprocal demurrage.

14 Jan. '07, p.16-19

**n** W. Va. Dawson. ". . . There have been many complaints against the railroads of this state in the last few years, and the most of these complaints have been not of high charges, but of discrimination; and this discrimination has taken the form largely of a refusal to furnish cars. Railroads have been indicted and suits for damages have been brought against them on this account. . . I do not want to go into this subject in detail, because I do not desire to stir up strife between the people and the railroads; and I can not think it is necessary, for certainly this Legislature will give the people the relief for which they have been asking for more than a quarter of a century. . ."

8 Jan. '07, p.35-36

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### Special commodities

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#### *Live stock*

*See also 896, Cruelty to animals*

**a** Mich. Warner. "In nearly every state in the Union railroad companies are made common carriers of live stock. The failure of Michigan to embody this provision in its laws governing the operations of railroad companies places the live stock owners and shippers of this state at a decided disadvantage and very frequently occasions them heavy losses through their inability to place their stock on the market so as to profit by the best prices. Under existing conditions the railroad companies need accept live stock for shipment only when they desire to do so. Michigan breeders and shippers should not be required to suffer this discrimination. . ."

3 Jan. '07, p.21

### Roads. Streets

*See 2700*

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## Railways. Car companies. Express

Chiefly steam roads but many of the general laws and special provisions include all kinds of railways. *See also* 500, Corporations; 841, 845, Taxation; 2040, Labor

- a Ala. Comer. ". . . I recommend a railroad commission law, giving the Railroad Commission adequate power and means to make investigations concerning the rules of railroads, their charges and their methods of doing business, and to put restriction on their charges and to establish between these corporations and the people such rules and regulations for business and service as will be fair and just to both parties alike. The present railroad commission law was a compromise measure and of doubtful validity, and should be supplanted by another, giving said Railroad Commission plenary power and adequate means to carry out these, the just demands of the people. . ." 15 Jan. '07, p.4-5
- b Ala. Comer. "I recommend the enactment of laws, requiring common carriers in this state to submit their books, papers and records to the inspection of the Railroad Commission or other proper authority, and also to submit their agents to an examination under oath by said Railroad Commission or other proper authority, for the purpose of determining the actual amount of capital invested in their properties in this state as well as their earnings and expenses in operating their lines within our borders. . ." 15 Jan. '07, p.8-9
- c Cal. Pardee. "The regular biennial report of the State Board of Railroad Commissioners will be laid before you, and from it you may be able to determine whether the usefulness of this branch of the state government is great enough to justify the expense it involves. . . The board has, practically, done no business, because it has no business to do. Its main function is supposed to be the fixing of transportation rates, but it has fixed no rates, unless it be upon an agreed basis, for a long time past. Even the compilation and publication of the railroad statistics of the state, which was formerly done with some thoroughness, has been abandoned in recent years, and when, not long since, one of the leading railroad companies asked for a compilation of railroad laws and decisions in California, the commission answered that it could not be furnished because of lack of funds. . .  
By the framers of our Constitution it was doubtless expected that the California commission also would be a busy, working commission, and an administrative authority, rather than a court of appeal; but they failed to assign to the board these additional duties imposed on other state railroad commissions, and it is at least questionable whether the field of duty defined by the Constitution can be enlarged by statute. But it is plain that if the California commission can not be made more useful than it is it should be abolished, and I recommend that the Legislature consider the advisability of submitting a constitutional amendment to that end." 7 Jan. '07, p.48-49



- d **Col. McDonald.** "One of the subjects you will have for consideration is a law providing for the creation of a board of railroad commissioners and prescribing its duties. Personally, I am of the opinion that such a board should be elected by the people for a term of six years, one member retiring every two years. . . The commission should have power to hear complaints and order reductions in rates when the same seem to them to be out of proportion. I also believe that the Board of Railroad Commissioners should perform the duties now performed by the State Board of Equalization in the assessment of corporate property. . . It might also be permissible to grant an appeal in assessment matters from the Board of Railroad Commissioners to the Board of Equalization at the fall meeting of the board. I realize this will require a constitutional amendment, but I believe the interests of the state demand it. . ." 3 Jan. '07, p.16-17
- e **Col. Buchtel.** "We have promised to enact a law for the government of the railway commerce of the state, in harmony with the national rate law, and to create a railway commission to be elected by the people. . ." 8 Jan. '07, p.22-23
- f **Fla. Broward.** "I again recommend, as I did to the Legislature of 1905, that the Railroad Commission be made a 'constitutional branch of the state government.' I do this because I believe there should be no uncertainty about so important a branch of the state government; but that it should become more firmly fixed in our system of state administration. The work of the commission has been of untold advantage to the state, and every step should be taken which will serve to increase its force and effectiveness in the problems confronting it. It should be given power to compel the use of suitable and adequate rolling stock for the passenger traffic, and additional power as to the furnishing to shippers sufficient freight rolling stock, and to enforce the regulations of the State Board of Health made for the proper sanitation of passenger cars and depots." 2 Apr. '07, p.17
- g **Fla. Broward.** ". . . I . . . again recommend that the Railroad Commission be authorized to employ a competent civil engineer, who shall be an expert in values of railroad property, to inspect the physical condition of the roadbeds, tracks, stations and rolling stock of the railroads of the state, and value the same, reporting his findings as to physical conditions and values to the Railroad Commission, in detail, for each railroad and division thereof in the state, and that the Railroad Commission be empowered to make such rules and regulations and orders based upon such report as may be necessary to enforce the maintenance by the railroads doing business in this state of their roadbeds, tracks and rolling stock in such condition as to safely and adequately and with reasonable dispatch discharge their duties to the public as common carriers.

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I also would recommend in this connection that the railroad companies doing business in this state be required to make a report to the Railroad Commission, every six months, of the number of engines and cars of the several classes and kinds, and their condition and location, and the amount of their terminal trackage and transfer facilities. Such reports to be used as a basis for determining the adequacy of their equipment to discharge their duties to the public as common carriers for the next six months. . ." 2 Apr. '07, p.17-19

**h Fla. Broward.** "I recommend the enactment of a law requiring the railroads to make annual reports to the Railroad Commission of the actual amount of local business done, both freight and passenger, in Florida, the amount of interstate business done by them, and Florida's proportion of the freight and passenger business so done and a statement to show in tons, or carloads, or packages, and amount of money paid for same; and empower the Railroad Commission to investigate the accounts, if they doubt the accuracy thereof, by summoning before them to testify any officer of the railroad, or other person, who may have knowledge upon the subject." 2 Apr. '07, p.19

**i Fla. Broward.** ". . . I recommend that the Railroad Commission be authorized to secure such legal advice and assistance as may be necessary to properly protect the interests of the state in the various proceedings and hearings in which they may be called upon to act. . ." 2 Apr. '07, p.21-22

**j Fla. Broward.** ". . . To this end I therefore recommend that a law be enacted authorizing the Railroad Commission to investigate the prices paid for all materials and labor used in operating or maintaining the railroads, so that a reasonable rate can be established for transportation charges upon the basis of a reasonable and legitimate, rather than the actual padded cost of operation of the road. As the public purse is called upon to pay all of the bills incurred, and dividends besides, it is but right that the Legislature, the representative of the people, should protect the people against the payment of exorbitant salaries to attorneys and officers for maintenance and equipment, and it should be the fixed policy of the state to require, by law, that the value upon which dividends are to be paid by the public shall be the actual cost of the corporation property. . ." 2 Apr. '07, p.22-26

**k Ga. Smith.** ". . . Our railroad commission law, passed more than 25 years ago, has in it so much of value which has been sustained by the courts, that I believe it to be the wise policy to perfect by amendment our present commission laws rather than to adopt an entirely new bill covering this subject. The commission should require for passengers reasonable rates and proper schedules and depot accommodations. The commission should require for shippers reasonable rates, and an efficient ser-

vice, the control extending to the time within which cars must be furnished after application, to delivery of freight, to the construction and use of spur or side tracks, to shifting and interchanging cars in railroad yards and terminals, to freedom from partiality in all service, and to the payment of overcharges and shortages. It should supervise the pay and hours of service of telegraph operators and train dispatchers. It should direct the form of keeping accounts by these corporations. It should cover every condition where the officers and agents of the public carrier may fail in duty to the public. Power must be given the commission to prevent the issue of watered stocks and bonds, and to require the money obtained from stock and bond issues invested in the properties of the corporations issuing them. The commission must be given power to protect the public in every relation where they should be served by transportation companies. . . ."

29 June '07, p.11-12

- a** Ga. Smith. ". . . I do not urge that procedure be now begun to forfeit railroad charters, but I warn the men in charge of these properties not to defy the conservative demands now being made upon them."

29 June '07, p.14

- p** Ga. Smith ". . . If the railroads continue the policy of appealing to the courts when the commission acts, the state must resist these suits with just as much force and power as the railroad companies bring to their support. It is utterly impossible for the Attorney General to meet alone the swarm of lawyers and hosts of witnesses that will be brought forward by the transportation companies and public service companies when litigation is precipitated. We must give to the Attorney General and counsel associated with him every possible aid. We must, if necessary, employ experts to meet the railroad experts. I believe it to be part of the duty of the Governor to render all possible assistance in supporting decisions of the commission. . . ."

29 June '07, p.14-15

- q** Id. Gooding. "I wish to earnestly recommend the enactment of a law creating a railroad and transportation commission in this state. . . . Great care should be taken in defining the duties and powers of the Railroad Commission. I feel that it should be given power to fix the absolute rate to be charged for specific freight hauls. . . . The rates for freights and fares, and other common carrier charges, when fixed by the commission, should be made immediately operative, and remain in force until such time as the commission shall otherwise order, or if an appeal to the courts is taken, the courts shall determine otherwise.

Authority should be vested in the commission to require railroad companies, upon reasonable notice, to furnish all the cars requisite to accommodate shippers, and a provision should be made whereby demurrage charges for cars ordered should be reciprocal. . . .

Reasonably adequate train service on all railway lines, and public service from all other common carriers should be within the authority of the commission to compel—this demand including the minimum number of trains that shall run at convenient hours for the traveling public, and reasonable connection with the service of other lines; to provide proper station accommodations and telegraph service; to require the use of automatic couplers, air brakes and other safety devices for the protection of the railway employees, with penalties for noncompliance with this order; to make and enforce reasonable regulations for the protection of private property, and the proper drainage of land affected by railroad construction.

The commission should be clothed with power to enforce entire publicity. . . . Publicity should extend to complete itemized statements of all matters connected with the finances of the railway business. . . . The commission should have authority not only to inspect the railway companies' books, but this authority should extend to compelling the use of a uniform system of accounts. . . .

I desire to recommend to the Legislature the creation of an appointive commission, whose terms of office should be six years, one of the commission retiring every two years, his successor to be appointed by the executive, in whom the power of removal at any time should be vested. . . .

8 Jan. '07, p.29-33

r III. Deneen. “. . . Among other changes in the law which may be of advantage, I may mention the following:

An amendment authorizing the Railroad and Warehouse Commission to prescribe a uniform system of accounting.

Amendments enlarging the powers of the commission as to railroad crossings. The present law imposes the entire cost of the construction and maintenance of such crossings upon the new intersecting road. The law is also defective in conferring jurisdiction upon the Railroad and Warehouse Commission only in those cases where the companies operating the intersecting railroads can not settle between themselves the questions arising as to proposed crossings. It is manifest that the public is deeply interested in the just and proper settlement of such questions, and the jurisdiction of the commission representing the public's interests should not be made dependent upon a contingency within the control of the private parties to the controversy.

No steam railroad should be permitted to cross the main tracks of another like company, nor should any electric railway be permitted to cross the tracks of a steam railway, without permission of the commission, and the commission should be authorized to make such orders, rules and regulations for the protection of all persons from injury at such crossings as it may deem necessary, apportioning the cost and expense of maintenance of such crossings between the two roads as it may deem just and reasonable.

Some measure should be enacted by the Legislature in reference to the practice of increasing the capital stock and bonded and other indebtedness of railroads without regard to the actual value of the road. . . . 9 Jan. '07, p.35-36

- s **Ind. Hanly.** ". . . The law should be strengthened in many particulars, giving the [Railroad] Commission additional powers in cases of railroad and interurban crossings, interlocking switches, physical defects of ways and means, the requirement of safety appliances in intrastate traffic, the removal of blockades upon proper notice by orders concerning rates, routes of shipment and the movement of traffic.

The provisions of the law authorizing an appeal from the finding of the commission to the Appellate Court should be amended by substituting a provision for the bringing of suit in some nisi prius court by any person aggrieved by the action of the commission, with the right of appeal from the decision of such court. Provision should also be made for the institution by the commission of suits in its own name for the enforcement of the law whenever the public welfare shall require. . . .

10 Jan. '07, p.25-27

- t **Mass. Guild.** "The development of the transportation facilities of the commonwealth demands your serious consideration. The increase of freight traffic on Massachusetts steam roads has been so swift as actually to embarrass the facilities of existing railroads, even with increased rolling stock and locomotives. There does not seem to have been trackage enough nor rolling stock enough nor power enough provided by these public service corporations to handle our swiftly increasing business. Corporations deserve fair play as well as individuals; and it can not be honestly said that the present highly unsatisfactory service in certain directions is wholly due to corporations and their management. It is notoriously difficult, for example, to get locomotives built fast enough to keep up with the demand. These facts, however, do not absolve us from hunting down causes of poor passenger service and freight congestion, and seeking a remedy. The results of the investigations by the Railroad Commission will shortly be open to you. The railroads themselves have it in their power materially to relieve congestion, and in cases where they have shown no disposition to exert such power, they should be compelled to do so."

3 Jan. '07, p.21-22

- u **Mo. Folk.** ". . . The laws regulating railroads have not given the relief from conditions complained of as they should have done had they been effectually carried out. The Railroad Commissioners should be charged with the duty of enforcing all the laws applicable to railroads, and their orders should be in force until overruled by courts of competent jurisdiction. So as to the laws relating to any special interest where violation entails a public rather than a private injury. . . . 2 Jan. '07, p.27

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- v **Neb. Mickey.** ". . . It will be necessary for your honorable body to define in detail the duties of this [Railway] Commission and to confer upon it ample authority to effectively deal with the subjects which will come before it. You are to fix salaries of the members and make provision of such clerical help as may be needed, presumably one secretary to the board. You should make it certain by legislative requirement that the person selected for the important position of secretary shall have had practical experience in connection with railroad management and rate making, able to meet the railroad officials upon their own ground and thus be capable of rendering the more valuable assistance to the board. . . . The remedy of national legislation is being vigorously applied and it remains for the several states to be equally active. I favor such legal restraint as will operate against discrimination and will guarantee equal privileges to all. Now that the people have established a railroad commission and have authorized you to clothe it with ample power, marked improvement along these lines is confidently expected." 3 Jan. '07, p.10-11
- w **Or. Chamberlain.** ". . . I earnestly recommend the passage of a law creating a railroad commission, to be appointed by the Executive and subject to removal by him for failure to properly discharge its duties, with ample powers to carry out the purpose of its creation. In this connection I commend to your consideration a bill prepared by the transportation committee of the Chamber of Commerce of Portland. . . ." 16 Jan. '07, p.16-19
- x **Pa. Stuart.** "Another important question which confronts the Legislature is the propriety or necessity of creating a state railway commission. . . ." 15 Jan. '07, p.7
- y **S.C. Ansel.** ". . . I . . . recommend that such additional powers be given to the Railroad Commissioners as will enable them to compel the railroads to comply with such reasonable rules and orders as may be just and proper. In this connection, I would recommend that the act now of force, requiring the salaries of the Railroad Commissioners to be paid by the railroads, be repealed. The office of railroad commissioner is a state office and the salary ought to be paid by the state." 15 Jan. '07, p.8
- z **Vt. Bell.** "The Railroad Commission must be given more power if its work is to be made effective and of the greatest value to the state." 4 Oct. '06, p.11
- za **W.Va. Dawson.** "There can not be any doubt about the necessity of the creation of a commission to supervise the operation of railroads. . . . We need a commission with ample power to investigate all phases of the subject, and all complaints of shippers and the public generally, and clothed with power after such investigation and hearing as is proper to be given, to provide the remedy, including the fixing of maximum rates. Railroads should be given the right of appeal to the courts, and of a speedy hearing on such appeal, but the decision of the commission should

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stand until reversed by the judiciary. The commission should consist of three men, one a lawyer, one a railroad man of experience, and one a business man. They should be of the best talent that the state can engage; and to this end it is necessary to provide proper compensation. . . " 8 Jan. '07, p.34-35

**zb** **W. Va.** Dawson. "Our corporation laws concerning the incorporation and regulation of railroads ought to be amended so as to make it more difficult to take out a charter for the building of a railroad. Now it is very easy to get a charter. . . Sometimes these charters are taken out and companies formed for the purpose of securing valuable routes, with no intention of building themselves, but with the sole purpose of holding up other companies or persons who do intend to build." 8 Jan. '07, p.37

**zc** **Wis.** Davidson. "The work accomplished by the State Railway Commission during the brief period of one and one half years since its creation pursuant to chapter 362 of the laws of 1905, more than justifies the long struggle for its establishment . . . I respectfully recommend to your honorable body that this law be so amended as to extend to the commission jurisdiction over all transportation companies of the state, regardless of the location of their lines with respect to municipal limits, or the character of their service." 10 Jan. '07, p.13-15

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## Corporate organization and power

*See 1267*

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## Consolidation, sale, lease

**a** **Mass.** Guild. "The consolidation of corporations becomes dangerous not only in itself but in its consequences whenever the managers of private capital intrusted with a public service so abuse that trust as to excite agitation for the seizure and operation of private properties by commonwealth or nation. . . I believe that this session should not close in silence on this question. . . " [Consolidation of Boston & Maine with N. Y., N. H., & H. Railroad] 5 June '07

**b** **U. S.** Roosevelt. ". . . It is unfortunate that our present laws should forbid all combinations, instead of sharply discriminating between those combinations which do good and those combinations which do evil. Rebates, for instance, are as often due to the pressure of big shippers . . . as to the initiative of big railroads. Often railroads would like to combine for the purpose of preventing a big shipper from maintaining improper advantages at the expense of small shippers and of the general public. Such a combination, instead of being forbidden by law, should be favored. In other words, it should be permitted to railroads to make agreements, provided these agreements were sanctioned by the Interstate Commerce Commission and were published. . . I recommend that you give careful and early consideration to this subject. . . " 3 Dec. '06, p.21-22

**1279 Stocks, bonds, mortgages**

- a **Fla. Broward.** Recommends law regulating issue of stocks and bonds. 2 Apr. '07, p.23
- b **Mich. Warner.** ". . . The Commissioner of Railroads . . . recommends legislation that will make the issuance of all railroad stocks and bonds subject to the scrutiny and approval of state authority for the purpose of preventing any manipulation that will have a tendency to interfere with the proper and successful operation and upbuilding of a road. In this recommendation I heartily concur." 3 Jan. '07, p.21
- c **Wis. Davidson.** ". . . I . . . recommend the enactment of a law providing that the issue of stocks and bonds, or other evidences of debt to be secured by a lien or mortgage upon the property or franchise of any transportation corporation organized under the laws of this state, shall be subject to the supervision and control of the State Railway Commission, and that any additional stocks or bonds so issued shall not be sold for less than the market value when the market value exceeds the par value." 10 Jan. '07, p.15-18

**1280 Public ownership and aid**

**1281 State railways and ownership of stock**

- a **Ga. Smith.** "The platform adopted at Macon calls attention to the fact that the act under which the Western & Atlantic Railroad was built contemplated its ultimate extension to the sea. It also declares that the time has now arrived for the General Assembly to seriously consider, the question of making the extension. I commend this suggestion to your careful consideration. I believe the ownership of the state road to be a thing of great value to the people of Georgia, not only on account of its capacity to produce an income, but on account of the influence it may have upon the future regulation of transportation questions. If it can be extended to the sea at one or more points, I have no doubt the investment would be profitable, and its value to the people as a whole greatly increased. I trust that you may be able to present a satisfactory plan for the completion of the road." 29 June '07, p.16

**1286 Supervision and regulation**

*See 1267*

**1288 Construction**

**1289 Branch roads. Side tracks**

- a **W. Va. Dawson.** ". . . In addition to these laws they [Railroad Commission] ought to have authority to compel railroads to make connection with switches of any plant, factory, mill or mine established along their lines which can show a sufficient amount of business to justify it." 8 Jan. '07, p.36



## RAILWAYS

### 1295 **Location. Right of way**

#### 1299 *Joint use*

- a **W. Va. Dawson.** "They should be required to make connections with other railroads and interchange cars and freight upon fair and reasonable terms. In any place where by reason of a narrow gorge or other natural obstruction there can be but one line of railroad built, and it is necessary that other railroads get through such gorge or beyond such obstruction, the track laid through such gorge should be subject to the use of all other railroads, upon such fair terms and conditions as may be agreed upon, or may be prescribed by the commission. . ."

8 Jan. '07, p.36

### 1301 **Traffic regulations**

#### 1308 *Train service*

- a **N. C. Glenn.** "I recommend that some law be passed remedying the loss of time that the public suffers waiting for delayed trains. Several plans have been suggested; one, to require railroads when their connections are an hour or more late, to run a special train; another, to require them on all their roads to run a local, without regard to connections, arriving and leaving on its own time; and still another, to require the railroad to at once bulletin its train, if late, giving reason for delay, and when it is expected, and then allow 30 minutes' margin after the announced expected arrival, and after this to heavily penalize them for every 30 minutes' delay; the penalties to go to the school fund. There may be other suggested remedies better than any of the above, but something should be done to remedy the fearful loss of time caused by waiting at stations."

9 Jan. '07, p.9

### 1311 **TRAIN BULLETINS**

- a **Fla. Broward.** ". . . In every town along the route of any railroad of 1500 population, where the station is situated away from the business center of such town, the railroad should be required to post in some public place in such town, as well as at the depot, the time of arrival and departure of its trains from its stations at least one hour before its schedule time, and if such train is running behind its schedule, how late it is. . ."

2 Apr. '07, p.19-20

### 1312 **Transfer facilities. Connections**

- a **S. D. Crawford.** ". . . As the law stands, it is impossible to compel intersecting railways to put in connecting tracks. . . The state of Minnesota has a connecting track law which has been sustained by the Supreme Court of the United States. I refer to section 3 of chapter 91 of the general laws of the state of Minnesota, sustained by the decision of the Supreme Court of Minnesota in 74 N. W. 893, and by the United States Supreme

Court in 179 U. S. 288. I recommend that you enact the Minnesota law as the law of this state. The Constitution declares that railways are public highways and that each railway company shall have the right to intersect, connect with or cross any other railroad, and that railway companies shall receive and transport the tonnage and cars loaded or empty of the other, without delay or discrimination. The enactment of such a law is necessary to make effective to the people the above constitutional provisions."

8 Jan. '07, p. 29-33

### 1313 Public safety, comfort and order

#### 1314 Safety regulations

*See also 1128, Boilers and engineers*

a Mon. Toole. "For the safety of the public and of railway employees it is believed that a law should be passed, limiting the hours of labor of railway employees engaged in the operation of trains in this state and providing for frequent and thorough inspection of locomotive engine boilers. I do not think it practicable, however, to put this inspection under the jurisdiction of the State Boiler Inspector; but such duty should be enjoined on the part of railroad companies, and a failure to scrupulously observe this requirement should be penalized by appropriate legislation."

8 Jan. '07, p.11

b N. C. Glenn. ". . . When the Corporation Commission points out to a railroad that its roadbed or equipment is defective and unsafe, and the railroad authorities for an unreasonable time neglect or refuse to remedy the defects, the superintendent and other officers of said road having supervision of the defective roadbed or equipment, shall be guilty of criminal carelessness and liable to indictment."

9 Jan. '07, p.10

### 1315 Accidents. Liability

*See also 2125, Employers liability*

a Fla. Broward. ". . . You should pass such statutes as will make it mandatory upon the nearest justice of the peace, acting as coroner, to proceed immediately to where any person has been killed in any accident or train wreck, and to hold an inquest and ascertain the cause of such accident, and who is to blame therefor. I also renew my recommendation that the Railroad Commission be authorized and required to investigate, through its engineer, the cause of all railroad accidents resulting in the death or injury of any persons, and that such report be filed in the office of the Railroad Commission, and that the Railroad Commission be authorized to ascertain by such investigation as may be necessary the safest and most approved switching device for use on the railroads in this state, and that they be empowered to require its adoption by the railroads operated in this state, and that the

## RAILWAYS

1315

Railroad Company be required to report immediately all railroad accidents causing loss of life or injury to persons or damage to property on their lines, showing number of persons killed and injured, and amount of property destroyed, and also report cause of such wreck or accident." 2 Apr. '07, p.20-21

b N. C. Glenn. ". . . Persons, therefore, who walk on [railroad] tracks, except at regular crossings, should do so at their own risk. . ." 9 Jan. '07, p.10

c N. D. Burke. "I recommend the enactment of a law requiring railroads to keep the roadbeds in safe condition, and providing severe penalties for its violation. We have had a great many wrecks this last fall, reported to be caused by spreading rails. . . If a railroad company allows its roadbed to become in such a condition that the ties are rotten, someone is guilty of gross criminal negligence; and if, on account of such negligence, a life is lost, someone should be guilty of manslaughter and should be punished accordingly. . ." 9 Jan. '07, p.8

d W. Va. Dawson. ". . . Many deaths occur from persons walking on the tracks of railroads. . . If the railroad tracks were all inclosed and proper safeguards made at crossings, and footwalks for pedestrians placed on bridges and high trestles, then it would be proper to prohibit trespassing on railroad tracks except at crossings." 8 Jan. '07, p.34

1317

### *Crossings*

1319

#### HIGHWAY CROSSING

a Vt. Proctor. ". . . The time has come when Vermont should recognize this great and increasing danger to her people and provide for the gradual compulsory abolishment of these grade crossings. . . There should continue to be, as at present, a provision for a fair division of the expense between the railroad company and the town or city in which the crossing is located. The state, as is so generally done elsewhere, may well contribute something, to be carefully limited by law, to this improvement of our highways and to the greater safety of our people. The number of crossings to be removed in any year should be specifically limited. Instead of the limitation under the present permissive system, contained in Vt. Stat. § 3842, to the removal of not more than one a year in any one county on any one railroad, I suggest that a more reasonable basis for the railroads themselves and for all concerned would be a limitation based upon the mileage of the railroad. . ." 4 Oct. '06, p.26-28

1320(5

### *Employees*

Regulations in interest of public safety; for safety of employees *see* 2080

a Fla. Broward. "I would further recommend that no person less than 18 years of age be permitted to perform the duties of train dispatcher or railroad telegraph operator upon whose messages trains are dispatched or handled." 2 Apr. '07, p.20

1320(5)

- b N. C. Glenn.** "To insure greater safety to the traveling public, I urge most earnestly . . . that a limit be set to the hours of service performed by a railroad employee; for it is needless to expect a train dispatcher, switchman, engineer, flagman, etc., to perform good service, be always on the alert and be able to guard against accidents, when he is worn out by many hours of strain and arduous work, and unable to take needed rest. . ."

9 Jan. '07, p.9-10

- c Wash. Mead.** ". . . Where employees are overworked and their senses benumbed by loss of sleep they are incompetent to be intrusted with the safety of human lives. It is asserted, too, that the shortage of cars and delay in train service are due in no small measure to loading the trains with excessive tonnage, causing slow running time and long hours of labor. A law regulating the hours of service, therefore, would solve other problems than that of lessening the casualties of travel. Only efficient and experienced men should be employed in this service. Official inspection, with authority to correct abuses, of car and engine equipment, tracks, bridges and crossings would tend to protect the lives of travelers and of those employed in the service."

14 Jan. '07, p.27

1328

### Public comfort regulations

For labor on railways *see* 2040, Labor

1329

### Cars

- a Fla. Broward.** "The State Board of Health should be empowered to prescribe such rules and regulations for the fumigation and disinfection of sleeping and other passenger cars, and of sleeping and living apartments on boats or other means of passenger traffic, as medical science and the welfare of the public demand."

2 Apr. '07, p.34

1337

### Street railways

*See also* 500, Corporations; 811, 845, Taxation; 2040, Labor

- a Ct. Woodruff.** Special message recommending uniform provisions as to powers of street railway corporations, particularly as to exercise of right of eminent domain. 11 June '07
- b Mich. Warner.** "The extension of electric railway lines throughout the state emphasizes the desirability of enacting a law exacting official reports from electric railway companies and placing them under the supervision of the Commissioner of Railroads. . ."
- 3 Jan. '07, p.22
- c Wis. Davidson.** Recommends that jurisdiction of Railway Commission be extended "over all transportation companies of the state, regardless of the location of their lines with respect to municipal limits."
- 10 Jan. '07, p.15

## TRANSPORTATION AND COMMUNICATION

### 1339 Corporate organization and powers

*See* 1337

### 1345 *Mail. Express. Light freight*

- a Pa. Stuart. "I most earnestly recommend the enactment of legislation to confer upon trolley companies, under proper supervision and control, the right to carry freight. The early passage of a bill to this effect is most desirable. Such a law will enable the farmer to market his products more cheaply, and will enhance the value of countless farms through reduced expenses and increased facilities. . ."

15 Jan. '07, p.6

### General supervision, *see* 1337

### 1359 *Location. Right of way*

### 1361 EMINENT DOMAIN

- a Pa. Stuart. "A kindred subject is that of conferring upon trolley companies the power of eminent domain. . . If by this means it is made more practicable for future trolley lines to avoid the public highway and build over private property, a double purpose will be served. It will protect and maintain free roads for the unrestricted use of the public, while making travel on such roads safer for the driving community. This subject is submitted for the thoughtful consideration of the Legislature."

15 Jan. '07, p.6-7

### 1378 Express

*See also* 500, Corporations; 841, 845, Taxation; 1345, Street railways

- a Ia. Cummins. ". . . I have long believed that both express companies and telegraph companies should be brought within the jurisdiction of the Railroad Commission, and that the commission should be given the same authority to prescribe rates for telegraphic messages and for the carrying of express matter, and to supervise the management of telegraph and express companies, that it now has with respect to railroads. I commend this subject to you as one well worthy of your attention."

14 Jan. '07, p.25-26

### 1384 Canals

- a Ill. Deneen. Continuance of the Internal Improvement Commission.  
9 Jan. '07, p.31-32
- b Ill. Deneen. "Legislation will . . . be necessary to provide for the enlargement of the corporate powers of the Sanitary District of Chicago, to provide for the navigation of the channels created by said district, and to confer upon the district the powers necessary to render available the power arising from the water passing through such channels; also to authorize the Sanitary District and the Canal Commissioners to negotiate terms and conditions upon

1384

which the Sanitary District may, from time to time, acquire the rights of the state in the waterway and other property of the Illinois and Michigan canal, until the Illinois and Michigan canal shall be discontinued or merged in the proposed deep waterway. I further recommend, in aid of the construction of the proposed deep waterway, that the state so legislate that part of the revenue secured from the sale of water power, shall be made to contribute to its construction. . . . From all the matters presented in the report of the [Internal Improvement] Commission, it appears that it is desirable that this state shall so legislate as to remove the objections which have been urged against the construction of this route by the United States. To this end I have delayed presenting this report until I could bring the authorities of the Illinois and Michigan canal, the Illinois Internal Improvement Commission and the Sanitary District of Chicago into harmony. . . . I have been deeply impressed with the idea that it is necessary that this state define its position clearly, and that these several agencies be brought into harmonious relations, before we can hope to enlist the cooperation of the federal government. I, therefore, invite the earnest attention of the General Assembly to the entire subject-matter of this extensive and valuable report, and to the bills above referred to, in the belief that there should be some positive and affirmative legislation upon this subject by the present General Assembly. The work of the commission has dealt broadly with the advantages to our state of the extension of our internal water system, and its report makes a clear and convincing presentation of those advantages. The scheme has been worked out as fully as the appropriation made by the last General Assembly would permit. The work of the commission, however, is far from complete, and I believe it will be of great advantage to the state in this important matter if its labors are continued, in order that a final report may be prepared on the lakes and gulf waterway. . . . 10 Apr. '07, p.1-4

- c N. Y. Hughes. ". . . I repeat the recommendation made in the Governor's message last year, that the present method of appraising the land acquired for the purpose [barge canal] is unnecessarily expensive, and without reflecting upon the present appraisers, it is clear that both economy and efficiency would be promoted by committing the matter of appraisal and the making of agreements for the acquisition of property or property rights, or for the settlement of damages, to the Superintendent of Public Works, subject to the approval of the Canal Board. It appears that the amount expended on account of the Board of Examiners and Appraisers to December 1, 1906, was \$66,829.86, while the total claims negotiated to the point of settlement up to that date amounted to only \$205,132.78." 2 Jan. '07, p.7-8

- d N. Y. Hughes. "Your attention is also directed to the advisability of making suitable provision in a more careful manner

than is provided by existing law for the disposition of surplus waters or water power created or developed in connection with canal improvement." 2 Jan. '07, p.8

1393

## Bridges. Tunnels

*See also 2700*

- a Wash. Mead. Abolition of toll bridges. 14 Jan. '07, p.33-34

1411

## Telegraph and telephone

*See also 500, Corporations; 841, 845, Taxation; 2040, Labor*

- a Kan. Hoch. "I wish to renew my recommendation of two years ago in reference to placing the telegraph and telephone companies and all transportation lines operated by electricity under the control of the Board of Railroad Commissioners."

8 Jan. '07, p.5

1414

## Supervision

- a Mass. Guild. Suggests for consideration increased powers of supervision over telephones and telegraphs. 3 Jan. '07, p.17
- b Neb. Sheldon. "The use of the telephone as a means of communication is becoming general in Nebraska. There are complaints in many parts of the state of unreasonably high rates and poor service. It is therefore recommended that the Railroad Commission, in addition to control of railroads, be also authorized by law to control telephone companies and regulate the rates thereof."

3 Jan. '07, p.42

1421

## Transmission and delivery. Secrecy

- a Tex. Campbell. "It seems that great inconvenience and much annoyance has been occasioned the people in some quarters by the failure of telephone and telegraph companies to make suitable connections at common points for the transmission of each other's messages. This policy on the part of the companies often results from indifference to the public requirements and is often the result of a desire on the part of the stronger line to make the business of the smaller line unprofitable, dissatisfy and frighten its owners and promoters, then by purchase, often at its own price, absorb and consolidate it with their own. This rife spirit of corporate consolidation and unnatural monopoly should in my opinion be dealt with in an effective way. The practice of consolidating public service corporations, or corporate wealth in any form, should be stopped. With due regard for the convenience and accommodation of the public, as well as the rights of these companies, suitable and adequate legislation requiring the companies under appropriate penalties to make such connections and transmit each other's messages is demanded by the platform and is recommended."

16 Jan. '07, p.11

1421

- b **Tex. Campbell.** Recommendation that telephone and telegraph companies be required to transmit each other's messages and make necessary connections therefor reiterated. 16 Apr. '07, p.5

1422

## Commerce and industry (general)

- a **Mass. Guild.** ". . . The crying evil in Massachusetts is lack of sufficient trackage on trunk lines to handle through freights and to provide for even more shipments when we do or can get such shipments. The failure to build such tracks, the lack of interest of investors in providing the means for such facilities, is a basic fact in the present unsatisfactory condition of transportation in Massachusetts. . . We are spending money freely and wisely in the metropolitan district in developing certain river fronts as parks. Why not spend a little in developing river banks and waste land on tide water for manufacturing purposes? May we not create opportunities for mills built on sea water, that fuel and material may be hoisted direct from the coal barge and the steamer or at least from the lighter into the mill? The saving thus effected in transportation would mean the difference between loss and high profit. The encouragement by development of water powers or otherwise of the smaller industries, the development of the small shop requiring but a modest investment but high industrial skill, is also worthy of examination. . . I recommend the authorization of an unpaid commission on commerce and industry, representing law, transportation, manufacturers, capital and labor. . . It should not be restricted in scope, but should be authorized to extend its study to any line of investigation bearing upon the future of the industries of the commonwealth of Massachusetts. . ."

12 Apr. '07

1425

## Weights and measures

1426

### Sealers. Public scales. Standards

- a **W. Va. Dawson.** "We seem to have no sealer of weights and measures in this state. The Adjutant General was formerly ex officio this officer; but in the enactment of the military code and the consequent repeal of the old law, this feature seemed to have been overlooked and the office abolished. I suggest that the State Bank Examiner be made ex officio sealer of weights and measures. He and his assistant are required, in the discharge of their official duties, to visit many sections of the state during the year for the examination of banks, and at the same time they could perform the duties of a sealer with but very little additional expense. The additional expense put upon the state for this work could be covered by the charging of a small fee, collected by the sealer, and paid into the state treasury. My attention was called to this subject by a communication from the director of the Bureau of



Standards of the department of weights and measures of the federal government. This communication asked me as Governor to cooperate with that bureau and with the sealers of weights and measures of other states, to improve the conditions affecting commercial weights and measures. The director said in his letter to me that 'it is evident from the number of convictions for the use of dishonest weights and measures in localities where rigid inspection is maintained, that the amount of fraud in states and cities where there is no inspector, or inefficient inspection, must be enormous, and unfortunately the loss falls upon those too poor or unfortunate to protect themselves.' " 8 Jan. '07, p.92-93

**1464 Adulteration and imitation. Branding. Inspection**

*See also 956, Adulterations liable to affect public health*

**1466 Adulteration. Inspection**

**1472 Commercial feed for stock**

- a **Ia. Cummins.** Recommends extension of pure food law to live stock foods. 14 Jan. '07, p.16

**1505 Associations. Exchanges. Speculation**

**1506 Boards of trade. Exchanges**

- a **W. Va. Dawson.** "The State Board of Trade [of Ohio], organized less than three years ago . . . has initiated and brought to a successful conclusion a number of the best laws on the statute books of that state. It has interested itself especially in the fundamental question of taxation, and generally in all other problems connected with the body politic and pressing for solution. The benefit of such an organization to this state can not well be estimated. Such an organization, of course, must have funds to carry on its work, and I think the work is so important that it ought not to depend upon the chance of voluntary contributions alone. I therefore heartily recommend that an appropriation be made to further the work of the board, sufficient at least to pay the salary of a secretary. . ." 8 Jan. '07, p.72-73

**1507 Speculation. Bucket shops**

*See also 883, Gambling*

- a **Ala. Jelks.** "One of the crying evils of the day is the gambling done through what are known as bucket shops. I am sure you will agree with me that they ought to have no legal existence in Alabama." 8 Jan. '07, p.29
- b **Ala. Comer.** "I recommend the abolition and extermination of bucket shops and every other form of gambling in the state of Alabama." 15 Jan. '07, p.24

1507

- c Ark. Little. "Bucket shops . . . should be suppressed by effective penal legislation." 18 Jan. '07, p.16
- d Fla. Broward. ". . . You should pass a statute making the maintaining of a bucket shop a felony, punishing every one furnishing in any way by telegraph, telephone, private leased wires, or otherwise, any information whereby the bucket shop is maintained, operated or carried on. Owners of buildings should be prevented from leasing their property to any bucket shop, and the owner of any building where one is maintained should be punished as a principal. . ." 2 Apr. '07, p.58
- e Mass. Guild. "Closely allied to banking is the exchange of financial securities. I commend to your attention the abolition of the so called bucket shop, or, in other words, of the misuse of market quotations as a basis for public gambling. Any statute on this subject needs to be framed with conservatism and care. Means can, however, and should at once be found, as means have been found in other states, to discriminate between legitimate and honorable trading in securities and a form of mere gambling whose existence is a fruitful source of embezzlement and larceny. . ." 3 Jan. '07, p.26-27
- f Mo. Folk. "One of the most vicious forms of gambling is the 'bucket shop,' where wagers are made upon the rise and fall of the stock or grain markets. These wagers usually assume the form of a sale or purchase, but in reality there is no sale or purchase. The injury that these places do is great. The present statute on this evil is inadequate, as under the definition given in the statute it is extremely difficult to establish by legal proof the existence of a 'bucket shop,' and the penalty is only a light fine. I recommend the enactment of a rigid law to suppress these places. Other methods of gambling have been made felonies, and the setting up of a bucket shop should be a felony. All employees, telegraph company officials or operators knowingly aiding in maintaining a bucket shop should be punishable as principals." 2 Jan. '07, p.16
- g S. C. Ansel. "Another matter that I desire to bring to your attention is the enactment of a law preventing the operation of what are known as 'bucket shops,' or cotton or stock exchanges. . ." 15 Jan. '07, p.6-7
- h Tex. Campbell. ". . . The buying and selling of wheat, bacon, cotton, corn or other commodity, stock, bond or other security, when neither the seller nor the buyer expects delivery, is not entitled to be dignified with the term speculation, it is gambling, pure and simple, begets the gambling spirit, and is more hurtful to legitimate business enterprises, and a matter of as serious concern to society as all the gambling houses in the country. Effective laws prohibiting such transactions, with suitable penalties, should be enacted without delay, and I so recommend." 16 Jan. '07, p.22

1508

## Warehouses. Markets

1515

### Grain warehouses and inspection

- a S. D. Elrod. ". . . It has come to me that warehouse men and grain dealers buy and ship our grain on unreasonably large margins. To illustrate: At a station in this state where the freight rate is 7 cents per bushel, the margin that the dealers buy on by agreement, perhaps, is 18 cents per bushel, leaving the dealer a clear profit of 11 cents on every bushel of grain he handles. Such practices as these are outrageous and demand your attention. Warehouses being under your control, it is clear to me that you can by law correct such abuses."

8 Jan. '07, p.43

1532

### Regulation and licensing of trades and occupations

- a U. Cutler. ". . . I would recommend that the law be so amended as to give to the town or city the right to license agents of corporations only when it is established that they have not been licensed by the state. . ."

15 Jan. '07, p.10-11

1540

### Barbers

- a U. Cutler. ". . . I recommend that the present barber law be amended so as to make it an offense punishable by fine or imprisonment or both for a person knowing himself to be afflicted with any disease likely to be disseminated from a barber shop, to apply for service in any shop in the state. For the proper enforcement of such an enactment I would respectfully suggest that each shop be required to display in a conspicuous place a placard stating that no person afflicted with any of the diseases specified in the act will be served; and that if such person asks for service and receives it, it shall be at his own risk, if the barber is not advised of his condition. It would seem advisable also that the law shall provide for the punishment of the proprietor or foreman of any shop where such a person is knowingly served. It is suggested that you amend the law so as to make it operative throughout the state, and applicable to all barbers."

15 Jan. '07, p.34-35

1543

### Coal and coke dealers

- a S. D. Elrod. "September 27, 1906, the railroads operating in South Dakota gave public notice, as required by the interstate commerce law, of a contemplated reduction of approximately 20% in the rates for hauling coal from all sources of supply for the different lines. My advices are that not to exceed one dealer out of three has given the consumers, the people of this state, any part of this reduction. These dealers are licensed by this state and are therefore under your control and it is plainly your duty to come to the relief of the people in this important matter that reaches every home."

8 Jan. '07, p.42

**Embalming and undertaking, see 1051**

**Law, see 591**

**Medicine, see 944**

**1575 Nurses**

- a **Ga. Terrell.** "There will be presented to you a measure providing for a state board for the examination of trained nurses. It is the policy of our state to have such boards for every profession. . . ." 26 June '07, p.23

**1590 Miscellaneous trade regulations**

**1593 Discrimination**

*See also 589, Combinations and monopolies; 1204, Transportation and communication; 1742, Insurance*

- a **Mass. Guild.** ". . . The regulation of railroads naturally suggests other regulation. The agitation of years has at last culminated in a national law for the regulation of freight rates on merchandise affected by interstate commerce. It is the business of the state to see to it in other respects that unjust discrimination does not prevail within its own borders. I commend to your study the laws of other states against unfair local discrimination against certain sections in the retail prices charged by great corporations for commodities in general use." 3 Jan. '07, p.22-24

**1596 Legal holidays. Public holidays**

- a **Me. Cobb.** "The present manner of observing Fast day contains so little of the sentiment and traditions of its early consecration, that it seems almost a mockery to publicly ask for its recognition and then see its original spirit so universally perverted and ignored. I believe that our people generally would not approve a lessened number of holidays, and that we have none too many legalized now and devoted by common consent to recreation and pleasure. But unless the name of this particular holiday be changed so that the expected manner of its observance shall bear some reasonable relation to its avowed purpose, I recommend that it be abolished." 3 Jan. '07, p.12

**1598 Arbor and bird day**

- a **Mon. Toole.** ". . . The time as now fixed by law for Arbor day is the second Tuesday in May. Experience has demonstrated that this is too late for tree planting in Montana. I suggest, therefore, that the date be changed to the third Tuesday in April." 8 Jan. '07, p.38

1630

## Encouragement of industries

166a

### Expositions

#### *International Mining Exposition*

- a N. M. Hagerman. "The territory has been invited to take part in an international mining exposition, which will be held in the city of New York early in 1908, under the auspices of the International Mining Exposition Company. . . Whether or not you may deem it advisable, after inquiry, to make any appropriation for this exposition, I believe it would be wise to authorize the Governor to appoint a commission of one or two persons to promote the interest and secure private exhibits for this exposition, from New Mexico." 21 Jan. '07, p.51-52
- b U. Cutler. Recommendation for provision for exhibit at the International Mining Exposition, New York, 1908. 14 Mar. '07

#### *Jamestown Exposition*

- c Cal. Pardee, 7 Jan. '07, p.26-27; Col. McDonald, 3 Jan. '07, p.19; Ct. Woodruff, 22 Jan. '07, p.1-5; Del. Lea, 1 Jan. '07, p.18-19; Ia. Cummins, 1 Jan. '07, p.8; Mo. Folk, 2 Jan. '07, p.11-12; Neb. Mickey, 3 Jan. '07, p.8; N. C. Glenn, 9 Jan. '07, p.19-20; Or. Chamberlain, 16 Jan. '07, p.38-39; R. I. Higgins, 3 Jan. '07, p.19-21; S. C. Heyward, 8 Jan. '07, p.17-18; Wash. Mead, 14 Jan. '07, p.29; W. Va. Dawson, 8 Jan. '07, p.71-72.

#### *Yukon-Pacific Exposition*

- d Cal. Pardee, 7 Jan. '07, p.26-27; Cal. Gillett, 9 Jan. '07, p.7; Ia. Cummins, 14 Jan. '07, p.7-8; Or. Chamberlain, 16 Jan. '07, p.39; Wash. Mead, 14 Jan. '07, p.27-29.

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### Resources and attractions. Immigration

- a Ala. Jelks. "Some practical plan should be put on foot looking to the attraction to Alabama of desirable immigrants. . . A bureau might be established presided over by a practical person, which bureau should be furnished with considerable means. This might be a charge on the state for only such a time as it should appear to the Governor that it is effective. The need for additional labor for all lines is very imperative. . . ." 8 Jan. '07, p.19-20
- b Ala. Comer. "You have passed an immigration law authorizing the Governor to appoint an immigration agent and provided the means for his compensation and his duties. Soon after this bill was passed the Attorney General of the United States rendered an opinion regarding the federal laws then in execution and the one going into effect July 1, 1907. The latter regulated immi-

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gration and limited the same and the execution of your bill, as I think, making it practically of little avail, as after the first of July the efforts of the state would be limited to simple advertisement of the resources of the state, not allowing any direct personal inducements. . . I refer the matter back to you, either for instruction or for any modifications of the law that you may see proper, or repeal. I recommend the repeal." 9 July '07, p.5-6

- c **Del. Lea.** ". . . Every encouragement should be given to induce practical farmers and farm labor to settle in our midst; therefore, I recommend the reenactment of chapter 333, volume 22, laws of Delaware, entitled, 'An act for the encouragement of immigration, and to foster the agricultural interest of the state.'" 1 Jan. '07, p.14

- d **Fla. Broward.** "The benefit of immigration to a state like Florida is worthy of your earnest investigation. This is a subject which has been receiving much investigation and consideration throughout the South, and especially in South Carolina, where a law creating the Department of Agriculture, Commerce and Immigration has been established, and has accomplished much in the way of securing desirable foreign immigrants, both as permanent settlers and as skilled and other laborers. I recommend the careful study of the provisions of the South Carolina law, and the enactment of a similar statute adapted to our needs. I believe a statute authorizing a conservative expenditure of public money by the counties in advertising their resources and attractions for settlers, is a wise and beneficial measure, and should be passed by your body." 2 Apr. '07, p.55-56

- e **N. J. Stokes.** "New Jersey is the first state to treat immigration problems in a rational and systematic way. The commission appointed under authority of the last Legislature has made careful investigations into the condition of the immigrants who settle in our state, and has made a recommendation that they be taught something of our customs, laws and institutions, so that they may at once become familiar with their rights and privileges. . .

I earnestly recommend that this matter be carefully considered, and that some plan be devised for carrying on this suggested work, supported by an appropriation for that purpose."

8 Jan. '07, p.15-17

- f **N.M. Hagerman.** "I invite your careful consideration to the comprehensive report of the secretary of the Bureau of Immigration. . . The work of the secretary consists in the preparing, printing, publishing and distribution of books and pamphlets descriptive of the resources, conditions, climate, lands, and other phases connected with the advance and progress of the territory, for the purpose of inducing immigration and capital into New Mexico. . . The question as to whether the territory is justified in appropriating considerable sums of money to pay for the compilation and printing of publications of this nature, is one which

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merits your serious consideration. Since 1890 about \$60,000 has been appropriated and spent for the maintenance of this bureau . . . The boards of trade of the various cities and towns, the various county organizations, the land companies, the railroad companies and all who immediately profit by such advertising matter, are much better fitted to prepare it than a central official located at the capital, where interest in the publications can not be the same as those more intimately concerned in the results of the advertising itself. . . While I am desirous of giving full credit for the good that may have been accomplished by this bureau, I am of the opinion that the expense of its support and maintenance is not a proper one for the territory to incur, and I therefore recommend that such expense be discontinued and that the bureau be abolished." 21 Jan. '07, p.24-26

- g N. C. Glenn. ". . . While the Commissioner of Agriculture is also named Commissioner of Immigration, the modification of the old law practically left no machinery for the encouragement of immigration. In view, therefore, of the growing demands from every industry (including agriculture, manufacturing, domestic service, etc.) for more efficient labor, I earnestly urge you to re-enact sections 2199 and 2200, volume II, of the Code, and for the purpose of carrying out the provisions of these sections, that the sum of \$10,000 annually, from the funds belonging to this bureau, be set aside for the purpose of aiding immigration. . . ." 9 Jan. '07, p.18-19

- h N. D. Sarles. Recommends continuation of appropriation for encouragement of immigration. 9 Jan. '07, p.8

- i S. C. Heyward. ". . . In view of the recent decision of Secretary Strauss, of the United States Department of Commerce and Labor, it is vitally important that no material change should be made in the act creating our department. There is but one change I would suggest, and after careful thought, consideration and investigation, I deem that a very necessary one. Section 11 of the act prevents the commissioner from taking any steps to induce some of the desirable people of Europe—people best adapted to our own conditions—most notably the North Italian and the Greek farmer—two of the most law-abiding and thriftest immigrants that come to America. I can not too strongly urge the elimination of this section from the act, leaving the class of people to be brought to the judgment of the commissioner. . . For the proper support of this department, a minimum appropriation of not less than \$25,000 will be absolutely necessary. I need not add how sincerely I trust that this will be done. . . ." 8 Jan. '07, p.4-8

- j S. C. Ansel. ". . . I . . . recommend that you take such steps as may, to you, seem wise, to foster and sustain the Department of Immigration, now accomplishing so much work on this line." 15 Jan. '07, p.9

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- k S. D. Elrod.** "This state needs an immigration commissioner. People from all parts of the country are constantly writing the executive and other officers for maps and for official statistics etc. of the state. . . I think the act creating such an office should require the commissioner to be especially careful not to send out inflammatory and exaggerated reports. The facts are good enough." 8 Jan. '07, p.6

- n Wash. Mead.** "To furnish information covering every part of the state, its resources and industrial development, I urge the creation of a state board of publicity, consisting of appointive officers with the State Librarian as secretary, to serve without extra compensation. This board to be allowed funds for postage, supplies and clerical assistance, and given authority to obtain reports from state, county and municipal authorities. The data thus secured to be furnished without expense to all applicants, particularly to each and every newspaper of the state." 14 Jan. '07, p.36-37

- p Wy. Brooks.** "The pamphlet commonly known as the 'State of Wyoming,' containing information concerning our resources, was issued from my office, and over 7000 copies have been distributed upon requests made by outside people for information concerning the state. This pamphlet has been quite effective in aiding and encouraging our development. I would recommend that provision be made for continuing its publication." 10 Jan. '07, p.12

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## Banking

*See also 500, Corporations; 843, Taxation of banking institutions*

- a Col. Buchtel.** "The need of savings institutions which save calls for a sound banking law." 8 Jan. '07, p.29
- b Mass. Guild.** "The reorganization of the Bank Commission and the banking reform laws of 1906 leave but little to be suggested on this subject. Certain department stores have, however, found a means of evading the spirit of the law, and, under the guise of private bankers, are soliciting deposits by offering rates of interest thereon which are likely to prove tempting to small depositors of the class that habitually use the savings banks. Such depositors do not appreciate that they are in reality lending their money to merchants, at a rather low rate of interest, and that the failure of the department store would wipe their savings out of existence. I recommend the safeguarding of these small depositors against this practice. . ." 3 Jan. '07, p.25
- c Vt. Proctor.** ". . . If it is desired to organize a savings bank or trust company a special charter must be sought, because there is no general law for their organization. . . There should be a general law for the organization of savings banks and trust companies permitting their voluntary organization in proper cases upon compliance with the provisions of the law and the payment of the necessary capital. So far as possible the charters



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of existing savings banks and trust companies should be brought into conformity to such a general law so that the rights and privileges of all savings banks and trust companies in the state would be uniform. Although it is better to allow too much competition rather than too little, the presence of too many banks in a vicinity of restricted population and business activities might really be harmful to the general interests. There should be some general restriction, therefore, or some discretion in the Inspector of Finance with respect to the granting of new charters, but such a limitation can always be best accomplished under a general rule or in the discretion of some selected officer rather than by the action of the Legislature upon each case." 4 Oct. '06, p:16-17

- d **W. Va.** Dawson. "Amendments to the banking laws should contain provisions to prohibit banks incorporated under the laws of this state from locating outside of the state for the transaction of business. The recommendation of the commissioner that he be given authority to place a bank which he finds in a bad condition in the hands of a receiver, without having to apply to a court or a judge, is proper and right. His recommendation concerning the increase of the capital stock of banks should be favorably acted upon also." 8 Jan. '07, p.25-26

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*Inspection. Reports. Departments*

- a **Ari.** Kibbey. ". . . The existing law needs amendment . . . to give the Bank Comptroller greater power for the protection of depositors in banks — the present statute affording a complicated and unsatisfactory method of dealing with such an emergency as may be presented by a bank found to be in failing circumstances." 22 Jan. '07, p.59
- b **Ark.** Little. "At present we have no adequate banking laws . . . I therefore recommend to you the importance of this subject, with the hope that such laws may be enacted as will give to the state a sound system of banking. . . This should be accomplished without expense to the state, requiring the banks to bear the burden of their own inspection and regulation." 18 Jan. '07, p.12
- c **Col.** McDonald. "One of the urgent measures for passage by this body is a state banking law, creating the office of state bank examiner, who shall have power and authority to examine all state and savings banks, building and loan associations and kindred associations, soliciting the deposits of the people. This law should be a strict one. I believe a state banking law along the lines of the national banking law would be best. . . ." 3 Jan. '07, p.14
- d **Ct.** Woodruff. "Under the existing laws our Bank Commissioners have no authority to investigate private banking institutions or any others doing banking business, except such as are chartered by the state.

From recent experiences in several sections of this state, I am lead to believe that it is quite important for the state of Connecticut to place all banking institutions of every name and nature under the laws of the state, according to the class of business which they are doing. If a trust company or any other banking corporation maintains a department of savings, that department should be kept absolutely separate from other parts of the business. In the case of savings department it should come under the law governing savings banks in regard to investments and in every other way be subject to the regulations under which such banks do business. . . . 9 Jan. '07, p.8-9

- e **Ill. Deneen.** ". . . I have been informed that the Illinois Bankers Association will recommend some changes in the banking law with a view to bringing about a more rigid inspection of the banking business. I suggest that a careful examination of the remedies proposed be made to the end that every sensible rule which can be suggested, and which will tend to make deposits more secure, be enacted into law. In addition to the suggestions which are made by the Bankers Association, I recommend that the law be changed so that the federal and state examinations be made uniform in point of time. As it is, the federal examination on any given day shows the condition of the bank at the close of business; while the state examination shows the condition of the bank at the beginning of business. The examinations should be made uniform in this particular, to prevent the shifting of securities." 9 Jan. '07, p.21-22

- f **Ind. Hanly.** ". . . The whole law relating to the examination of banks should be revised. . . ." 10 Jan. '07, p.58

- g **Mich. Warner.** ". . . I am quite within the record, I think, when I say that in a majority of instances the word 'bank' or 'banker' conveys to the mind of the individual an impression of that security and protection which state supervision and examination affords. During the past two years we have witnessed conspicuous examples of the necessity for state examination of private banks. In one instance, at least, a private bank whose owners were in the forefront of the opposition to legislation proposed two years ago, survived but a few weeks after the adjournment of the Legislature and went down with a crash. There is, in the proposed legislation, no invasion of legitimate private rights. It is simply and solely a measure of safety and protection in the interest of the public in the first instance, and, in my opinion, in a large measure of the private banks themselves. It seems to me that there can be no question that state supervision and examination would give these institutions an improved standing in the estimation of the public and thus increase their business and usefulness. I recommend that a proper system of state regulation and examination of private banks be provided by this Legislature. Some have suggested the Wisconsin law, which

does not permit the organization of any private banks, requiring all banks to come under the state law. It does allow banks with small capital to organize and do business in towns with a small population." 3 Jan. '07, p.12-13

h **Minn. Johnson.** ". . . The record of the past four years of private bank failures is made up from returns of banking and commercial agencies, and discloses that during this period there were 18 failures of private banks, with deposits approximately something like \$1,500,000. During the past biennial period there have been 43 conversions from private to state banks, which is significant as showing the growing conversion of private bankers themselves to favor banking under the state or national law. The public examiner, as a result of his experience, renews the recommendation made to the legislative committee of two years ago for the passage of an act compelling all private banks in Minnesota to incorporate and become subject to either state or national supervision. I commend his recommendation to the serious consideration of the Legislature." 9 Jan. '07, p.30

i **Minn. Johnson.** Asks that banks be examined at least twice a year instead of once; increased appropriation for office of public examiner. 9 Jan. '07, p.32-33

j **Mo. Folk.** ". . . The banking department is now a part of the Secretary of State's office. That this is not the proper place for it is conceded. The Banking Department either should be under the jurisdiction of the Department of Corporations, or a separate department. Whether this change should be made effective at once, or at the end of the term of the present Secretary of State, is for your consideration, in view of the injustice that might be done the bank inspectors appointed for a definite time. There should be strict supervision and examination of banks, and there seems to be no good reason why trust companies should not also be under the same supervision." 2 Jan. '07, p.26

k **Mon. Toole.** "There is no reason why private banks should not be subject to the same laws and regulations as state banks, both as to capital stock, control and methods. There are 34 private banks doing business in this state, many of them justly holding high rank as financial institutions, but in order to give to them as a whole that character and stability which the citizen has a right to demand, they ought to be subject to the same laws as state banks." 8 Jan. '07, p.25

n **Nev. Sparks.** Recommends appointment of bank and brokerage commissioner. 21 Jan. '07, p.20

p **Or. Chamberlain.** "A law should be passed at this session of the Legislature providing for the supervision, examination and regular reports of the condition of private banks, trust companies and savings banks, whether owned and controlled by private persons, firms or corporations. . . ." 16 Jan. '07, p.25-26

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q Pa. Stuart. ". . . I . . . recommend a thorough examination of the banking laws of the commonwealth with a view of framing a new act which will more fully protect and safeguard the deposits of our people. Such act should provide that officers and directors in financial institutions shall be held legally responsible for any of their acts in violation of law, and should fix more definitely the responsibility of all persons connected with the management of such institutions. . . I most urgently recommend that such act be framed to make compulsory the systematic examination, at frequent intervals, of all financial institutions chartered under the laws of Pennsylvania. . . The investigation recommended may lead to an entire reorganization of the Banking Department. It should be carried on with judgment and discretion, and with the view of avoiding unnecessary alarm to financial institutions or unnecessary interference with them in the proper conduct of their business. The duty of carefully investigating the condition of trust companies, chartered under the laws of this state, is a very exacting one; for not only is it necessary to ascertain whether their capital is intact, whether their loans are safe and whether the collateral securities held to protect them are of sound value,\* but an examination should also be made into the condition of their thousands of trusts and of the other business which they are authorized under the law to transact."

15 Jan. '07, p.8-9

r R. I. Higgins. ". . . I . . . recommend the enactment of a law which will provide for the strictest supervision of all banks, trust companies, etc., operating under the laws of Rhode Island, and the appointment of a capable and tried man to make examinations of such banks. I believe that any officer of a bank or trust company operated under the laws of Rhode Island should be ineligible for the office of bank examiner, and that if any such examiner should become indebted to any such bank or trust company, or if he should engage or become interested in the sale of securities, negotiations of loans, etc., for others, his office should become vacant."

3 Jan. '07, p.14-15

s Tenn. Patterson. "In addition, I recommend . . . three state bank examiners, one to be appointed from each grand division of the state, who shall be charged with the duty and have the power to examine the books and inquire into the condition of all banks chartered by the state and to make their report to the State Auditor. If necessary, these examiners should act independently or under the supervision of the Auditor, creating only one department. The compensation of the Auditor should be fixed by a law creating the office, also that of the examiners. The law should also provide that the fees for making examinations of state banks should be covered into the treasury and these would doubtless be sufficient to meet all the expenses of the department."

7 Jan. '07, p.15-16

Recommendation renewed.

1 Apr. 07, p.5

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t U. Cutler. ". . . Under the present law it is his [State Bank Examiner's] duty to examine not only the corporate state banks, but building societies, loan and trust companies, and life and fire insurance companies. From the fact that the number of banks in the state has increased with such rapidity, and the indication that this increase will be fully as rapid in the future, I would recommend that the duties of the Bank Examiner be limited to the examination of banks; that the other institutions named be placed under the supervision of some other officer; and that the contingent fund of the examiner be so adjusted as to render it possible for him to visit all the banks of the state as often as necessary, without asking the Board of Examiners for a deficit. Considering that his duties now occupy all his time, I strongly urge that the salary attached to the office be increased and made commensurate with the labor and responsibility."

15 Jan. '07, p.33-34

u U. Cutler. "I wish again to emphasize the advisability of enacting a law to protect depositors in private banks. If the owners of banks not incorporated under the laws of the state desire to have them exempt from examination, I believe that in all such cases the depositors should know the facts. I would therefore suggest that if a law is not passed requiring all private banks to submit to regular examination, they be at least required to display at the receiving teller's window the information that they are not subject to examination."

15 Jan. '07, p.34

v Wash. Mead. "The last Republican state convention demanded the creation of the office of state bank examiner. I renew my recommendation in a former message that such a department be established. In addition to the public examination of state banks, such an officer should be invested with authority to examine the accounts of state and county officers and to prescribe a uniform system of public accounting."

14 Jan. '07, p.13

w Wis. Davidson. ". . . Under the present law, banks are examined but once a year. . . . I recommend that the Wisconsin law be so amended as to require semiannual examinations. . . ."

10 Jan. '07, p.39-40

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## Branches

a Wis. Davidson. "During recent years Wisconsin has had occasion to witness the establishment of many branch banks. I can not but regard this as a tendency which may some day develop disastrous consequences. . . . Legislation is urgently recommended, either preventing the establishment of branch banks, or requiring an increase in capitalization by the parent bank for each branch institution opened by it."

10 Jan. '07, p.41

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## Foreign corporations

a Mass. Guild. ". . . Chapter 377 of the acts of 1906, relative to unauthorized banking, exempted foreign banks from its pro-

hibitions; and they are therefore permitted to do a savings bank business in this commonwealth in competition with our savings banks, without any restrictions on the investment of their savings deposits, as in the case of the Massachusetts savings banks, and without any requirement of stockholders liability, as in the case of the Massachusetts trust companies. Savings deposited with foreign banking corporations, then, are not subject to the safeguards thrown about savings deposited with Massachusetts savings banks or trust companies; and the Bank Commissioner has no power to take steps to protect depositors until it appears that the corporation is insolvent, its capital impaired or its condition hazardous. The adequate protection of savings deposited with foreign banking corporations should be one of the first acts of your honorable body."

3 Jan. '07, p.25-26

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### Loans. Investments

- a **Minn. Johnson.** ". . . I would concur with the recommendation of the public examiner that our banking laws be so amended as to permit of the making of first mortgage loans on improved farms located within our state, equal to 25% of the capital stock and surplus of the bank, all such loans to be limited to and not to exceed 50% of the cash value thereof; provided, that no bank shall invest in that class of loans in the aggregate more than 50% of its deposits. . ."

9 Jan. '07, p.29-30

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### Reserve. Surplus

- a **Kan. Hoch.** ". . . The one weakness which has long been recognized by all those familiar with the subject is the insufficient security to the banker, stockholder and depositor alike against the occasional panic or 'run' which periodically occurs, often without sufficient cause, but none the less disastrous on that account. How to guard against these occasional occurrences has long taxed the best minds and evolved many proposed plans. . . The proposition is a simple one, viz, that the bank shall set aside a certain specified amount from their deposits as an insurance fund to depositors. This fund is to be deposited in the state treasury until it aggregates \$1,000,000, and to become a permanent security fund. . . If this law is passed, and I trust it will be, more stringent provisions for periodical examinations of banks and protection against unsound banking methods should supplement the enactment. . ."

8 Jan. '07, p.28-30

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### Savings banks

- a **Wis. Davidson.** ". . . There are in this state a large number of commercial banks which conduct savings departments in addition to their commercial business or as their main business,

## INSURANCE

and they are authorized in specific terms to receive savings. . . It is unfair that the savings deposited in a commercial bank should not be guarded by the same regulative statutes as apply to savings when intrusted to a mutual savings bank. I recommend legislation to correct this inconsistency. It would seem that the solution lies in the classification of deposits rather than in the classification of banks as under the law at present."

10 Jan. '07, p.40-41

1718

### Building and loan associations

The names of these organizations vary somewhat, but the powers and regulations do not depend on the name. The ordinary phrase is building and loan associations, but they are elsewhere called savings and loan associations, cooperative loan associations, etc. and in Massachusetts cooperative banks

- a Cal. Pardee. ". . . In view, however, of the uneasiness in the public mind concerning [building and loan] associations, or some of them, I am of the opinion that an investigation, by some competent authority, legislative or other, into their methods, and the enactment of legislation which will correct any evils that may be found to exist, are both timely and necessary." 7 Jan. '07, p.73
- b Ct. Woodruff. "It is my belief after a careful investigation that the Building and Loan Commission should be abolished, and that the work of this department should be placed in the hands of the Bank Commissioners. There now remain in the state only 14 solvent building and loan associations. Their interests lie along the line of the Bank Commissioners' duties, and should properly be placed within the jurisdiction of the Bank Commissioners."

9 Jan. '07, p.12

1732

## Insurance

See also 500, Corporations

- a Col. Buchtel. "The need of insurance which insures demands the enactment of a comprehensive and conservative insurance law."
- b Mo. Folk. ". . . Through the action of the various state insurance commissioners of the United States, certain laws have been recommended that I commend to your consideration:

8 Jan. '07, p.29

A standard policy act, for use of all life insurance companies.

An annual apportionment act, to require life insurance companies either to pay annual dividends, or credit the amount earned to the different policy holders. This act would limit the amount of surplus which the companies are permitted to retain in their treasuries.

An act prohibiting discrimination and rebating between agents and policy holders.

An act prohibiting corporations from acting as agents of life insurance companies.

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An act regulating the election of the directors of mutual life insurance companies.

An act prohibiting the publishing of estimates and illustrations which misrepresent the terms of any policy, or the benefits or advantages promised thereby.

An act prohibiting life insurance companies from making any kind of a political contribution.

An act forbidding insurance companies from expending more than \$5000 for any specified purpose without the consent of the board of directors.

An act prohibiting life insurance companies from paying any officer a salary in excess of \$50,000 annually.

An act making the policy the entire contract between the interested parties and defining the status of the persons who solicit life insurance.

An act regulating the disbursements of life insurance companies.

An act requiring nonresident or foreign life insurance companies to keep at least 70% of reserves to credit of Missouri policy holders invested within this state." 2 Jan. '07, p.5-7

- c N. C. Glenn. "So much misconduct and actual crime have of late been charged against certain insurance companies, that have used their policy holders' money for corrupt purposes, that perhaps it would be well to enact a law, in the future forbidding any company engaged in such practices from doing business in the state; and upon said charge being made, the commissioner should at once investigate, and if the charges are found true, at once stop the company from soliciting business." 9 Jan. '07, p.14

- d U. Cutler. ". . . I would strongly urge that you enact legislation providing for a department of insurance in the state of Utah. It should provide for the appointment of an insurance commissioner, whose duty it will be to give his entire time to the supervision of the companies doing business in the state, including, if your judgment coincides with mine, building and loan associations not regularly under the supervision of the Bank Examiner. . ." 15 Jan. '07, p.9-10

1733

*State departments*

- a Col. McDonald. ". . . I am of the opinion that the Department of Insurance should be placed under the direct control of the Governor and that the Insurance Commissioner should be appointed by that officer with the consent of the Senate. Under the present law the Auditor of State is ex officio Superintendent of Insurance and he appoints the deputy, who is charged with the enforcement of the law. . ." 3 Jan. '07, p.11

- b Ind. Hanly. "The need of a separate department for the supervision of insurance is so apparent and of such urgent character as to preclude debate or delay. The department, as now organ-



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ized, is no more than a neglected adjunct of the Auditor's office. . . . With the means now provided the Auditor can not make it other than it is—a neglected adjunct. With a beggarly allowance of \$5920 for the entire department, he is expected to administer a department having supervision of . . . 324 companies. . . . It is simply impossible to secure effective administration of such a department with the allowance made. The department is entitled to stand, and, if properly organized, will stand as a barrier between the people of the commonwealth and the horde of graveyard insurance companies, funeral benefit societies and various wild, visionary concerns and criminal speculative organizations that are continuously organizing and storming the department for the privilege of duping the citizens of the state and preying upon credulity, sorrows and misfortune. . . .”

10 Jan. '07, p.18-24

- c Ind. Hanly. Urges passage of Babcock-Farber bill providing for separate insurance department. 6 Feb. '07

- d Wash. Mead. “The office of Insurance Commissioner has become of such importance that I believe it should be separate and independent of any other office. Moreover, the recent developments in regard to the conduct of both fire and life insurance organizations in the United States have been of a character to suggest the expediency and wisdom of encouraging the organization and growth of domestic companies engaged in the insurance business. The rapid and ever increasing growth of the state with the consequent increase in demand upon the time of the Secretary of State justify a separation of these offices. Therefore, I commend the creation of the office of State Insurance Commissioner, and that the officer be chosen by vote of the people as other state officers are chosen.”

14 Jan. '07, p.16

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#### *Examination. Reports*

- a S. D. Elrod. “I recommend that the law be amended so that it will be made the duty of the [Public] Examiner to examine each and all insurance companies chartered by this state, at least once a year.”

8 Jan. '07, p.36

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#### *Government insurance*

- a Fla. Broward. Renews recommendation of 1905 for state life insurance. 2 Apr. '07, p.56
- b W. Va. Dawson. “I suggest no remedy; but if conditions can not be otherwise improved, I see no reason why the state itself should not furnish life insurance at cost. . . .”

8 Jan. '07, p.60

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#### *Deposit of security. Reserve*

- a Ala. Jelks. “In this connection it might be well to require of insurance companies doing business in the state a deposit with the State Treasurer of state or government bonds as, in some sort, a security for the insured in Alabama.”

8 Jan. '07, p.19

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- b Cal. Pardee. ". . . Any legislation, therefore, which will tend to limit the field of activities of insurance companies would be undesirable. If, however, the Insurance Commissioner of California were empowered by law to refuse to admit to this state any company which does not keep on deposit, in the hands of a trustee, on conditions imposed by this state, a sufficiently large sum, either in money or bonds, the objections to the requirement of a deposit in this and any other states might be overcome, and, at the same time, a reasonable guaranty might be secured. If this trustee were some well known and safe financial institution, not necessarily in this state, and if the conditions imposed by this state concerning the purposes and uses of this deposit were such that it would protect, not only California, but other states, it is not at all improbable that the other states in which the depositing company does business would, by law, accept such a deposit as a means of also protecting their citizens. . ."

7 Jan. '07, p.49-51

- c Cal. Gillett. ". . . There should . . . be enacted a deposit law under which companies of foreign countries will not be permitted to do business in this state unless they have on deposit in this or some other state a minimum sum, and in addition thereto the full reserves required of domestic companies, as to all policies issued upon property situated in the United States where a reserve is required. This is the law in many of the states, and had it been the law in this state the Transatlantic and other companies which have retired to Germany without paying their losses, would not have escaped so easily, because their assets in this country might have been sufficient to have covered part of their losses, at least. . ."

9 Jan. '07, p.11-12

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#### Discrimination

- a U. Cutler. "I also favor the imposing of strict regulations against rebating and unjust discrimination by life insurance companies between persons of the same age and expectancy of life."

15 Jan. '07, p.10

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#### Dissolution. Insolvency

- a U. Cutler. ". . . I . . . favor the requirement that every company doing business in Utah shall prove its solvency and its ability to meet its claims."

15 Jan. '07, p.10

1744

#### Dividends

- a N. C. Glenn. ". . . It is suggested that a sure remedy would be to allow no deferred dividends, but require each company to distribute annually its dividends among its policy holders. I ask you to investigate this matter and do what is right."

9 Jan. '07, p.14

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#### Foreign companies

- a Ill. Deneen. ". . . The Insurance Superintendent should be made by statute the attorney for service in this state for all in-

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insurance companies authorized to do business here while any liability remains outstanding against such companies in this state. He is now by statute designated as such attorney for several classes of companies and should be for all. . ." 9 Jan. '07, p.15

- b N. C. Glenn. ". . . We desire foreign insurance companies to do business in our state, and will protect them all we can against fraud and wrong; but it is not fair for them to collect and carry away over \$6,000,000 of our money to enrich and build up their home states at North Carolina's expense.

Two remedies have been suggested: (1) The enactment of a law making it a condition precedent to a foreign company's doing business in our state, that they shall, before January 1st of each year, submit to the Insurance Commissioner satisfactory evidence that they have invested in solvent North Carolina securities or property an amount equal at least to 50% of the premiums collected on the policies of the people and property of this state. A great many countries, and some states, have adopted this plan, and it works well.

(2) Or that every foreign company doing business in the state make a deposit, in North Carolina securities to be approved by the Commissioner, of not less than \$10,000 or more than \$50,000, according to the amount of business done by the company. . ."

9 Jan. '07, p.12-13

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#### Policies

- a N. C. Glenn. "If you are convinced after a careful investigation of the net earnings of life and fire insurance companies that the premiums charged their policy holders are too much, you should reduce them at once. . ."

9 Jan. '07, p.14

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#### Life and accident

- a Ala. Comer. "The recent investigation in New York of the largest life insurance companies has shown this business to be wonderfully profitable, and also showed that they were gradually absorbing the money of the country. The proof evidenced great mismanagement of the companies, and a large amount of graft and debauching influence. For the proper protection of the people, and as far as practicable, to save within the state the money of the people, and gradually prevent that going out of the profits of the state, to build up such institutions without the state, I would suggest that you investigate the propriety of making the state the insurance agent for the people of the state, giving the people the benefit of the very best conditions and of the best companies, and legislating as far as practicable out of the state the foreign companies."

15 Jan. '07, p.23-24

- b Ill. Deneen. "The subject of life insurance has commanded more attention and discussion in the last two years than any other. . . Among the most important of the subjects to be considered are the following:

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(a) A change of the basis of reserve valuation from the Actuaries 4% to the American Experience 3½%. . .

(b) Standard provisions, perfectly protecting the equities of the insured, should be incorporated in every policy sold in the state.

(c) No life insurance funds should be used for any political or other similar purposes. . .

(e) Proper legislation should be enacted to protect members of both regular and assessment life insurance companies from unfair treatment in case of the reinsuring of such companies. . .

(f) . . . Deferred dividends can be safely written provided the surplus accruing be apportioned yearly, and charged as a liability to the company. . .

(g) The act of June 19, 1891, to prevent discrimination by life insurance companies should be . . . amended. . .

(h) A law should be enacted to protect holders of deferred dividend policies already in force, in the distribution of surplus accumulated on their account. . .

(i) In the matter of the election of trustees of mutual life insurance companies, the voting should be made as simple and effective as possible, either by mail, in person, or by proxy.

(j) A law should be enacted prohibiting the organization of additional assessment life insurance companies in the state, other than fraternal societies, or the admission of such companies from other states . . . also a law providing for the periodical examination of such companies. . .

(k) No corporation or stock company should be licensed as the agent of any life insurance company . . . nor should any subsidiary company be allowed to . . . perform the functions of such life insurance companies.

(l) In the matter of preliminary term insurance, that method known as the modified preliminary term plan of valuation should be adopted.

(m) . . . There should be a thorough examination of the affairs of every company at intervals of not to exceed five years. . . Publicity is the best cure for corporate ills.

(n) Disbursements by life insurance companies should be regulated by a law requiring that in all cases where the disbursement equals or exceeds \$100, the same shall be evidenced by a voucher. . .

(o) There should be a provision added to the insurance law requiring that a company of another state should have the same deposit in its own state that is required of our own companies here . . . and that a foreign life insurance company should have a like amount on deposit in some of the states of the United States. . .

(p) A law to prohibit the issuance of nonparticipating policies by certain life insurance companies, and which will prevent a

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company from doing both a participating and a nonparticipating business, would seem to be a good measure. . .

(q) . . . The character of investments which such companies should be permitted to make is a matter worthy of your most careful attention." 9 Jan. '07, p.17-19

- c **Ind. Hanly.** ". . . It is your solemn duty to so legislate as to put an end to maladministration of domestic life insurance companies. You should enact a law which will limit the salaries of every executive officer or director of any company. The business of no Indiana company is such as to justify the payment of a salary of more than \$10,000 to any executive officer. Limitation should be placed upon the power of boards of directors to vote salaries. Publicity should be required by the filing on the first day of each year a sworn statement of the salaries and compensation paid to all such officers, with the insurance commissioner. Every such salary list should have the approval of the insurance commissioner before it becomes effective. There should also be legislation inhibiting any company or the agent thereof from paying, allowing or offering as an inducement to any person to take insurance, any rebate or premium or any special favor or advantage whatever in the dividends to accrue thereon, or any inducement whatever not specified in the policy. Special contracts should also be inhibited. . . For these reasons it is sufficient to permit companies to accumulate and hold an unapportioned surplus fund of 5%, or two full years' accumulation. . . I also recommend that the law be so amended as to require . . . allied or subsidiary companies . . . to deal directly with their agency force, without the intervention of agency companies. . . The premium for all policies . . . must be so computed as to provide for insurance expense in equal proportion to the yearly net or death costs of insurance thereunder. . . The statute should be amended so as to provide that the amount invested in loans upon policies, together with accrued interest thereon, shall not at any time exceed the reserve against said policy, and that no company shall in any year invest in policy loans an amount in excess of 20% of its actual cash income for that year. But for the large percentages of the assets of Indiana companies already invested in such loans, I would recommend legislation limiting the amount of policy loans to certain percentages of the gross assets of the companies. . . An act should be passed canceling all proxies executed prior to its passage, and providing for the restoration of the companies to the control of the policyholders through the election of entirely new boards of directors. . . "

10 Jan. '07, p.65-89

- d **Ia. Cummins.** Renews recommendations for regulation of life insurance companies. 14 Jan. '07, p.19-22

- e **Mass. Guild.** ". . . The mortality tables on which ordinary life insurance is based are half a century old. Civilization has

materially lengthened the duration of human life in the last 50 years. The same principle that from time to time calls for the readjustment of laws regulating insurance methods in accordance with changing conditions demands no less examination and reconstruction of the very basis on which all life insurance rests. The insurance department of the commonwealth has the records of hundreds of thousands of lives from which just and modern mortality tables can be constructed. I recommend that the Insurance Commissioner be authorized to prepare an official mortality table for Massachusetts, for the information of the profession and the people." 3 Jan. '07, p.15

- f **Mich. Warner.** "The investigation of the general subject of life insurance by a committee of the Legislature of New York state last year, has brought this topic prominently before the public. One result of this agitation was a conference participated in by the governors, attorneys general and commissioners of insurance of several states, in February last, and the appointment, by such conference, of a committee of 15 to draft a proposed uniform code of laws governing life insurance, with a view of having this code enacted in the various states. Michigan was honored with a place on this committee, and participated prominently in its work. The several bills prepared by that committee will be presented for your consideration and, with modifications designed to meet conditions in this state, should have your careful attention.

These bills are modeled after the best features of the so called Armstrong laws enacted by the Legislature of New York. The desirability of uniform action by the several states will, I think, appeal to the judgment of every one who has the best interests of the policy holders at heart. We should constantly bear in mind, however, that the evils and extravagances exposed by the Armstrong investigation were almost wholly local and did not obtain in companies of other states than New York. Furthermore, these companies have been hedged about by legislation, which, it is believed, will prevent any recurrence of the evils complained of. For this reason there is no demand or occasion for hasty or ill-considered legislation in this state. Some of the New York legislation is confessedly experimental, and Michigan can well afford to await the result of the test of these laws in the state where the evils must, of necessity, be first attacked.

Any legislation which bars the companies from legitimate fields of operation or which places upon them unnecessary burdens bears heaviest upon the policy holders whose interests we should constantly seek to protect. The managers of the companies are simply trustees for the policy holders and a proper accounting of their trusteeship to the policy holders and complete publicity as to all their business transactions will, in my opinion, meet the situation and keep the business free from evils." 3 Jan. '07, p.8-9

1754

- g Minn. Johnson.** ". . . The legislation of the state of New York, adopted as the result of the extensive and fearless investigation of this subject by the Armstrong committee of that state, should be upheld by the various states as far as possible. Many other legislative investigations have been held, notably in our sister state of Wisconsin, the conclusions of which are entitled to your consideration.

In February, 1906, a conference of governors, attorneys general and insurance commissioners was held at Chicago to consider and further the adoption of uniform insurance legislation. A committee appointed by that conference has given careful consideration to the subject since that date; its report will be before you and I bespeak for it your most earnest consideration. The recommendations of the committee consist of 17 proposed bills which may be summarized as follows: The adoption of standard policies, or at least standard provisions in all policies, so that for the future ambiguous and fraudulent policies will be unknown and open competition between the companies introduced; the abolition of the deferred dividend system to which is traced many of the evils to which I have referred; a compulsory accounting for present surpluses held by companies heretofore operating upon the deferred dividend plan; regulation of salaries and investments, preservation of vouchers for expenditures, prohibition of discrimination in provisions to secure complete publicity through annual reports are proposed as measures which, while leaving the details of the management to the officers of each company, will result in fair competition, ample security and proper use of funds, while frequent accountings and full publicity will force honest and economical management. . . . It is not necessary for me to refer further to the work of this committee than to say that each of its recommendations meets with my hearty approval. . . "

9 Jan. '07, p.25-29

- h N. J. Stokes.** "The report of the Committee to Investigate the Condition of Life Insurance Companies will be laid before you at this session. Their findings will enable you to deal with this important topic along lines of the most advanced thought and to place New Jersey in the lead as the state which has the best laws for the protection and safety of policy holders."

8 Jan. '07, p.19

- i N. D. Sarles.** "The passage of laws recommended by the committee appointed by the National Association of Governors, Attorneys General and State Insurance Commissioners, for the regulation of life insurance companies doing business in this state, is most important and merits your perusal. I recommend their adoption at this session."

9 Jan. '07, p.10

- j Wis. Davidson.** ". . . The committee appointed pursuant to legislative enactment has spent nearly an entire year in the discharge of its duties. . . . The exhaustiveness of this investi-

gation, the care with which it has been prepared to aid legislative deliberation and the extensive legislation recommended, amounting practically to a revision of our statutes regarding the regulation of life insurance companies, precludes the necessity of specific executive recommendations concerning this subject. . ."

10 Jan. '07, p.26-28

**Discrimination, see 1742**

**Investments, see 1747**

1759

## Mutual insurance

1761

## Fraternal beneficiary societies

- a R. I. Higgins. ". . . I would . . . recommend such legislation as will require fraternal societies to make annual or more frequent reports to the State Insurance Commissioner, and which will give him reasonable supervisory powers over them. . ."

3 Jan. '07, p.12-13

1762

## Accident, health and industrial insurance

- a Mass. Guild. ". . . To the poor, the expense of so called industrial insurance is very severe; to the very poor, it is prohibitive. I suggest for your earnest thought and careful consideration the subject of insurance of the lives of those able to pay but a very small premium, but whose honorable pride is now in too many cases urging them to pay what they can ill afford if they would avoid a pauper's burial. Life insurance without agents or collectors is an experiment in which the demands of the people are supplemented by practical plans. I commend for your consideration the study of plans to be submitted to you for cheaper industrial insurance that may rob death of half of his terrors for the worthy poor. . ."

3 Jan. '07, p.14-15

- b N. C. Glenn. "Much complaint has been made against what is termed industrial insurance, it being charged that some of the companies doing this kind of insurance are practising fraud and extortion. This should be carefully guarded against, and can be stopped by the adoption of a uniform policy, prepared and approved by the commissioner, for these kinds of companies. New York has also adopted a uniform life policy, and it might be well for you to consider if this plan would not work well in our state."

9 Jan. '07, p.13

- c W. Va. Dawson. ". . . 'Industrial insurance' is a term applied to short term policies for small amounts, the premiums of which are paid monthly or weekly, and sold almost exclusively to working people and others of small means. The price charged for this sort of insurance is very high; very much higher indeed than that charged for regular life insurance policies. It is about the only kind of insurance that a great many persons can buy, and it is an outrage upon them that they are compelled to pay



the enormously exorbitant prices that are charged for this kind of insurance. When insurance, or any other good or necessary thing, is naturally a monopoly, or made a monopoly by artificial means, it ought to be regulated by law. The fact that it is a monopoly, no matter how it comes to be so, is sufficient reason for its regulation and supervision. I suggest no remedy; but if conditions can not be otherwise improved I see no reason why the state itself should not furnish life insurance at cost. . ."

8 Jan. '07, p.59-60

1764

## Fire and other casualty

*See also 791, Insurance of public property; 1092, Fires; 1893, Forest fires*

- a **Ill. Deneen.** ". . . A provision should be enacted prohibiting one fire insurance company from owning the stock of another similar company. The law should not permit the capital and securities which it requires a company to hold for the protection and security of its own policy holders to be risked in the ventures of another company doing the same kind of business."

9 Jan. '07, p.15

- b **Ill. Deneen.** "The statute should be so amended as to more clearly and explicitly define and fix the liability with which a company shall be charged for unearned premiums on risks in force, in determining the question of its solvency and in its annual statements to the Insurance Department, and should prescribe the credit which a company shall be allowed on such liability for that part of its business reinsured in another company. . . The law should furthermore prohibit any special deposits, made in particular states for the exclusive protection of the company's policy holders therein from being counted or advertised as assets in this state in excess of the liabilities secured thereby, because in case of insolvency the policy holders in such states are preferred to the extent of such deposits, depriving policy holders in this state of any protection therefrom."

9 Jan. '07, p.16

- c **Ill. Deneen.** "The act of April 21, 1899, relating to casualty insurance companies should be amended so far as it relates to companies of foreign countries, so as to provide for licensing and dealing with them on the basis of their assets and liabilities in the United States. The assets of these companies in this country are the funds practically available to the policy holders of this state for their protection. Under the present provisions of this act if the funds of the United States branch of a foreign company become depleted or insufficient to provide for the liabilities in the United States, the department would have insufficient authority for properly protecting the policy holders in this state. . ."

9 Jan. '07, p.17

- d **Kan. Hoch.** ". . . I especially mention the creation of the office of fire marshal and a law providing for the publication in certain state papers periodically of a list of companies authorized to do business in this state. . ."

8 Jan. '07, p.35

1764

- e **Tenn. Patterson.** "I call your attention to the following plank in our platform:

'We favor the enactment of such laws as will tend to reduce the fire hazards in Tennessee, establish more rigid requirements in building construction, reduce incendiarism and compel competition among insurance companies, so that fire insurance rates now onerous on our people may be reduced.' I recommend that your Committee on Insurance take up this question and institute a full investigation in regard to the charge of insurance combinations, and if they are found to exist, then the enactment of such laws as will effectually break up and in the future prevent such combination. I make the same recommendation as to life insurance companies."

7 Jan. '07, p.14

**Discrimination, see 1742**

1768

**Lloyds associations**

- a **Ill. Deneen.** "The operation of Lloyds, unincorporated associations and individual underwriters doing a fire insurance business in this state should be regulated by statute. . ."

9 Jan. '07, p.16-17

1769

**Policies. Rates**

- a **Cal. Pardee.** ". . . One thing, however, that seems absolutely necessary to protect the insured in this state is a standard policy form, which should be simple, concise, and exact. Such a standard policy should not contain any provisions which will in any way enable the company issuing it to rid itself of its obligations on account of the indirect effects of 'an act of Providence.' A fire loss resulting as the indirect or even the direct result of an earthquake should not lessen the claim of the insured upon the insurer; nor should the immaterial injury by any cause of any insured property lessen the responsibility of the insuring company.

If it be considered necessary to permit the addition of 'riders' to the standard form of policies, it should be provided that the form and wording of these additions to the policies should receive the approval of the Insurance Commissioner and be printed in the policy in red ink and in antique style type not smaller than small pica, and, finally, in order to become effective, should be signed by the insured, thus making him a presumably willing and cognizant party to the contract thereby created. . ."

7 Jan. '07, p.49-51

- b **Cal. Gillett.** ". . . There should be a standard form of policy, providing against the loss by fire, explosion, collapse or earthquake. . ."

9 Jan. '07, p.11-12

1770

**Mutual companies**

- a **Ill. Deneen.** ". . . The amendment of 1903 to section 6 of the act of 1869 relating to the organization of mutual fire insur-

ance companies provides an inadequate basis for the organization of such companies. It practically permits them to organize with \$10,000 of premiums paid in in cash without further material obligations of members, while stock companies are required to have \$100,000 of capital paid in in cash as a preliminary basis for the protection of the insured. The provisions of the law previous to this amendment required premium notes or contract obligations of members of not less than three nor more than five times the amount of the cash premium written in the policy. Some further contingent liability of members beyond the minimum of \$10,000 of cash premiums paid should be required for the security of the insured."

9 Jan. '07, p.16

1800

## Navigation. Waterways

*See also* 1384, Canals; 1393, Bridges

- a Ala. Comer. ". . . I recommend the enactment of laws requiring that all railroads operated in this state shall give said port [Mobile] and waterways the recognition their importance deserves; and that they may be made basing points for fixing rates into and through the state; and that you authorize the Railroad Commission to incur any needed expense to carry out this requirement, and that you enact all necessary legislation in this particular." 15 Jan. '07, p.6
- b U. S. Roosevelt. Ship subsidy. 23 Jan. '07

1803

## Harbors

- a Mass. Guild. "Local differences as to which city or town is in this or that particular year to receive attention in the improvement of harbors occupy a needless amount of time of the General Court. Various state boards are granted an annual appropriation for carrying into effect the purpose for which they are created. I suggest a similar general appropriation for the Harbor and Land Commission, and that all questions as to which harbor needs attention in any given year be referred to this commission. . . ." 3 Jan. '07, p.27-28

1804

## *Wharves. Docks. Piers. Wharf lines*

- a Cal. Pardee. ". . . I renew my recommendation that a well guarded law be passed, under which any railroad company may be allowed to lease from the state a sufficient, and only a sufficient, portion of the public submerged lands lying within the limits of incorporated cities, or within 3 miles thereof, to enable them conveniently to carry their traffic to navigable water. This law should be carefully guarded so as not to remove it from court review and so that only portions of the public domain not more than 200 feet in width shall be leased to any corporation. The

1804

greatest care should be exercised to keep out of such legislation a repetition of the attempt of 1903 to put it into the power of a single corporation, or even a few corporations, to monopolize, to the exclusion of competing roads, public lands, the proper use of which is of such great value to all the people of this state.

Such lands, in limited quantities, ought to be leased to the corporations desiring to use them; and the terms of the leases should be such that the rental to be paid shall be determined at intervals of not longer than 10 years. While the yearly rentals should, in no case be large enough to hamper trade or put any onerous burdens upon the lessees, the privilege to be enjoyed is valuable enough to call for the paying of a reasonable rental. . . ."

7 Jan. '07, p.59-61

- b **Cal. Pardee.** "The whole system upon which the administration of the San Francisco water front is based is wrong, radically wrong. Instead of there being three commissioners, there should be one commissioner, whose term of office should be dependent only upon his rendering efficient service and who should be paid a salary commensurate with the value of the service rendered to a business of the magnitude of that transacted on the San Francisco water front. Under this commissioner should be various departments, each headed by men selected by and responsible only to the commissioner. The subordinates of these department chiefs should be selected by and be responsible to, and only to, their chiefs. Efficiency and competency should be the only criteria of employment or retention. But while the executive functions, for the sale of a more energetic administration, should be thus concentrated in one person, it might, and probably would, be found expedient to associate with the commissioner an advisory board, in about the same way in which the State Commissioner of Public Works has associated with him, for certain purposes, an auditing board. In this way, and in this way only, can the water front of San Francisco be put into shape to properly take care of the business passing and to pass over it. Whether such a state of affairs shall be brought about depends upon the Legislature, in whose hands is the power to initiate and to bring about the necessary changes in the law."

7 Jan. '07, p.66-67

- c **Mass. Guild.** "I would suggest . . . that we should encourage adequate appropriations from the national government for harbor approaches to Boston, by moving for the improvement of freight terminals that shall supplement deep water at the docks and in the channels of the harbor."

3 Jan. '07, p.22

1805

#### Improvement of waterways (general)

- a **Cal. Pardee.** "Four years ago the Legislature appropriated \$200,000 for river improvements, putting its expenditure into the hands of the Auditing Board to the Commissioner of Public Works

1805

and the Governor. It was determined to use this money, first, in the closing up of the largest and worst breaks in the river banks, thus confining most of the water to the channel and securing the scouring effect, and, second, to securing certain threatened points of the banks against erosion and other breaks. It was also determined, when possible, to require the owners of lands on which breaks in the river banks were or were threatened, to cooperate with and pay dollar for dollar with the state for the prosecution of the work. Under this system of cooperation several bad breaks have been stopped, other threatened breaks have been prevented, and the rivers have been greatly improved, so that navigation is much easier than it had been for a long period of years. There is now a tide of several inches at Sacramento, a thing unknown for many years before, and river steamers have no difficulty in reaching this city even at the season of lowest water. The state appropriation, by means of this cooperation, has been made to do duty for four years. It is now about exhausted. The work on the rivers should be continued. I therefore strongly recommend that another appropriation of a like sum be made, to be expended under like conditions."

7 Jan. '07, p.56-57

- b Wash. Mead. Joint action with Oregon and the federal government for improvement of Columbia river for navigation.

14 Jan. '07, p.31-32

1826

## Agriculture

See also 956, 1466, Adulteration; 1144, Communicable diseases of animals; 2343, Agricultural schools

- a Tenn. Patterson. "The Department of Agriculture should be sustained and further strengthened by such appropriation and legislation as may insure the accomplishment of the benefits intended when the department was created. . . While our state has mineral resources, some already developed, and others undeveloped, agriculture will always be its chief dependence. . . A study and analysis of soils, encouragement to live stock industry, the discriminating use of fertilizers, should all receive the attention of our Agricultural Bureau, and appropriations to this end should unhesitatingly be made. I further recommend the creation of three experiment stations in each grand division of the state, to be properly equipped and in charge of competent and experienced farmers, the result of their experiments to be published and distributed in bulletin form, as is now done by the government. The farmers institutes should also be encouraged as affording the means for interchange of ideas among the farmers of the state and as tending to improve our agricultural conditions."

7 Jan. '07, p.4-5

1826

- b **Tex.** Campbell. Separate department of agriculture.

16 Jan. '07, p.14

1828

**Experiment stations**

*See also 2343, Agricultural schools*

- a Acceptance of federal appropriation for experiment stations:  
**Ari.** Kibbey, 22 Jan. '07, p.40-41; **Neb.** Mickey, 3 Jan. '07, p.9;  
**Wash.** Mead, 14 Jan. '07, p.31; **W. Va.** Dawson, 8 Jan. '07, p.83.
- b **Ga.** Smith. "The land of south Georgia is so different from that of north and middle Georgia that I urge the establishment of a branch experiment station in south Georgia alongside of one of our agricultural schools, or else by a south Georgia normal school."  
 29 June '07, p.22
- c **S.D.** Elrod. ". . . The state owns a section of improved land at Sioux Falls and Watertown and I recommend that at least one half of each of these sections of land be planted to corn under the supervision and direction of the Agricultural College at Brookings and that the corn raised be sold to the farmers at reasonable prices. There is no reason, if the Agricultural College gives the matter proper attention, but what the crop will pay all the expenses and more. . ."  
 8 Jan. '07, p.40

1829

**Farmers institutes. Reading courses. Lectures**

- a **Mon.** Toole. ". . . The directors of this [farmers] institute are so impressed with the value of the work done and the possibilities for the future that they have unanimously asked for an increase in the annual appropriation. The success made in dry land farming alone, a method employed in many localities in the state, under the directions of these institutes has transformed many a desert waste into prolific fields of grain, and is worth in a single year a hundred times the increased appropriation asked for the ensuing two years."  
 8 Jan. '07, p.8-9

1832

**Statistics. Weather and crop service**

- a **N.D.** Sarles. "The 'Weather and Crop Service' and appropriation for 'clerk Weather Bureau' should be repealed. The government disapproves of the appropriations and notified us accordingly."  
 9 Jan. '07, p.15
- b **Wash.** Mead. "For the collection and dissemination of information useful to the agricultural and horticultural interests of the state, I recommend the creation of a state board of horticulture and agriculture. The members of said board to serve without pay except necessary traveling expenses, and to consist of the president of the State College of Washington, the State Fair Commission, the State Grain Inspector, the State Veterinarian, the Dairy and Food Commissioner and the Horticultural Commissioner."  
 14 Jan. '07, p.37

1835

## Associations. Fairs

1840

### State associations and fairs

- a N. D. Sarles. Increased appropriation for State Fair.  
9 Jan. '07, p.10
- b S. D. Elrod. ". . . Squeeze the other appropriations and increase the appropriation for the State Fair." 8 Jan. '07, p.39
- c S. D. Crawford. ". . . The South Dakota Board of Agriculture has been doing splendid work. Exhibits of which all who saw them were proud, were made this year both at Huron and Mitchell. Means must be provided which will enable the board to get into the field early and to encourage the raising and preserving and sending to the fair the best specimens from every county in the state. This can not be done without means. Suitable buildings of ample size and arrangements must be provided for the housing and care of exhibits when received and for the exhibition of the same to the best advantage. The report of the board should receive your most careful attention and efficient support by appropriations should be made. . . ." 8 Jan. '07, p.41-42
- d U. Cutler. "The Deseret Agricultural and Manufacturing Society is reported as being in excellent condition. The most successful state fair in the history of the society was held in 1905, but owing to certain conditions, no fair was held in 1906. It is suggested that hereafter the fair be held biennially, and that the name of the society be changed to 'Utah State Fair Association.' I approve these recommendations. A request is made for \$20,000 to complete the main building, which has lain in an unfinished condition for more than two years. I think this appropriation should be made." 15 Jan. '07, p.25

1844

## Horticulture. Diseases and pests

*See also* 1630, Encouragement of industries

- a Id. Gooding. "In the summer of 1906 I visited Fremont county, at the request of many farmers and citizens for the purpose of investigating the cricket pest. I found the condition to be a very serious one. . . A law should be enacted allowing taxation, so that the various counties afflicted with this pest may rid themselves of a great menace to continued growth and prosperity." 8 Jan. '07, p.27
- b Mon. Toole. ". . . I bespeak for this body [Board of Horticulture] a continued and generous appropriation sufficient to insure a systematic and successful warfare against the further invasion of insect pests and the extermination of such as now exist in the orchards of the state." 8 Jan. '07, p.10-11

1850

### Moths

- a N. H. Floyd. "One of the most serious and difficult problems before us is the suppression of the brown tail and gipsy moths, which have invaded the southern part of the state, and as they multiply and move north, are spreading devastation of appalling character and extent. I am not sufficiently informed as to the possibilities of dealing with these pests to recommend any particular method, but I trust the proper committees will carefully study the subject in the light of experience in other states and the investigations of experts and report a bill, which, without imposing upon the state enormous expense, will check the ravages of this terrible enemy. . . I recommend that in connection with the appropriation you provide for the appointment by the Governor and Council of one or more agents, or to expend it subject to the requirements outlined above." 3 Jan. '07, p.20

1856

### Noxious animals. Bounties

- a Mon. Toole. ". . . After much experience in dealing with this subject, I am of the opinion that the chances for fraud and imposition would be greatly lessened if the claims against the bounty fund were made nonassignable, and I recommend that the present law be amended accordingly. . . Under the present law there are 81 inspectors, meagerly paid, who are supervising the bounty business. Among so great a number of underpaid officers it is not surprising that more or less indifference is manifested, if positive criminal conspiracy in some instances is not shown in the administration of this law, resulting in great loss to the fund. In my opinion one high class inspector with an adequate salary would be infinitely better than the present system. A visit for inspection purposes to the several counties once a month would be ample." 8 Jan. '07, p.25-26
- b Wy. Brooks. ". . . I recommend that the bounty law be maintained with a similar appropriation, and the bounty on wolves be increased \$1 per head, and on coyotes 25 cents each, making the bounty on wolves \$4 and on coyotes \$1.25." 10 Jan. '07, p.11-12

1875

### Domestic animals

*See also 961, Milk and milk products; 1144, Communicable diseases of animals*

- a U. Cutler. Recommending that the work of the State Board of Horse Commissioners be under the direction of the officers of the State Agricultural College. 14 Mar. '07

1876

### Running. Impounding. Fences

- a U. S. Roosevelt. "The control of grazing in the national forests is an assured success. The condition of the range is improving rapidly, water is being developed, much feed formerly wasted is now saved and used, range controversies are settled,



## FORESTRY

opposition to the grazing fee is practically at an end, and the stockmen are earnestly supporting the forest service and cooperating with it effectively for the improvement of the range. The situation on the open government range is strikingly different. Its carrying capacity has probably been reduced one half by overgrazing and is still falling. Range controversies in many places are active and bitter, and life and property are often in danger. The interests both of the live stock industry and of the government are needlessly impaired. The present situation is indefensible from any point of view, and it should be ended.

I recommend that a bill be enacted which will provide for government control of the public range through the Department of Agriculture, which alone is equipped for that work. Such a bill should insure to each locality rules for grazing specially adapted to its needs and should authorize the collection of a reasonable grazing fee. Above all, the rights of the settler and home maker should be absolutely guaranteed. Much of the public land can only be used to advantage for grazing when fenced. Much fencing has been done for that reason, and also to prevent other stock owners from using land to which they have an equal right under the law. Reasonable fencing, which promotes the use of the range and yet interferes neither with settlement nor with other range rights, would be thoroughly desirable if it were legal. Yet the law forbids it, and the law must and will be enforced. I will see to it that the illegal fences are removed unless Congress at the present session takes steps to legalize proper fencing by government control of the range."

17 Dec. '06

1879

### Estrays. Damages. Trespass

- a N. M. Hagerman. "The Cattle Sanitary Board, which has also been very efficiently managed, recommends the amendment of the law governing the sale of estrays, as the present procedure is so long, cumbersome and expensive that few persons take advantage of it. The board also recommends certain amendments to the mange law. There is also a general demand from the stockmen from all over the territory that the hide law be so amended that hide buyers shall be forced to mark each hide purchased before inspection with some mark or tag showing from whom the hide was purchased. I would respectfully recommend such amendment."

21 Jan. '07, p.29

:890

## Forestry

*See also 1598, Arbor day*

- a Cal. Pardee. ". . . There can not be an adequate protection of the forests without the employment, during the season of danger, of at least 20 district firewardens for the proper organization of their respective districts for cooperative fighting of fires. Such wardens will each cost \$90 per month, and expenses, during the danger season, but will save to the tax rolls of their respective

1890

- districts many hundred times their cost. . . The present forestry law, and code provisions in conflict therewith, should be so revised by the coming Legislature as to eliminate inaccuracies and ambiguities. It is estimated by the State Forester that an efficient safeguarding and advancing of the forestry interests of California will necessitate an appropriation of \$30,000 per year . . . and I am of the opinion that the Legislature should make such an appropriation. . . ." 7 Jan. '07
- b **Mass. Guild.** ". . . A commonwealth that has appealed to the national government to save the forests that guard the sources of our water supply and water power must not neglect her own duties. The scope of the state forestry work can not be extended with the means at present at our disposal; and I cordially recommend to you a consideration not only of more effective laws in regard to forest fires, in order to save the trees we already possess, but of the laws in regard to forest taxation, that the growing of new forests on lands at present sterile and unproductive may be encouraged." 3 Jan. '07, p.30
- c **Mich. Warner.** "The problem of reforesting the denuded timber lands of the state is one which calls for prompt and intelligent solution. Early provision for future needs should be made along lines that will produce the best results and at the least possible cost. Whatever plan is adopted should embody ample provision for protecting the growing trees from fire. The growing of forests should be encouraged in every proper and legitimate manner." 3 Jan. '07, p.7
- d **Minn. Johnson.** ". . . The state itself owns only 21,000 acres of forest reserves, all being under charge of the Forestry Board. Of this, 20,000 acres, being the so called Burntside forest in St Louis county, were granted by Congress in 1904. A working plan has been prepared for the same and a nursery should be started preparatory to planting the greater part of the land with pine and spruce. The other 1000 acres comprise the Pillsbury donation in Cass county on which is a nursery of pine and spruce seedlings which if possible should be planted the coming spring. In addition to these reserves is the Itasca park of about 14,000 acres owned by the state, which I recommend be placed in charge of the forestry board with condition that no green and growing timber shall ever be cut. An act passed four years ago authorized the forestry board to purchase land for forestry purposes at not exceeding \$2.50 an acre, but no money has been appropriated to carry it into effect. I recommend a moderate appropriation to start work under that act." 9 Jan. '07, p.45-46
- e **N. H. Floyd.** Recommends abolition of Forestry Commission. 3 Jan. '07, p.17
- f **N. J. Stokes.** ". . . Further development of our forestry reservations and the protection of our woodlands from fire is commended to legislative support." 8 Jan. '07, p.34-35

## FORESTRY

1890

- g S. D. Elrod.** "The state should in some way encourage tree planting. . . Forestry should be more extensively taught in the Agricultural College and in our schools, and I recommend that a state board of forestry be created and that the professor of Horticulture and Forestry, Professor Hansen, be made director thereof. Create a board of five,—to be appointed by the Governor,—who shall serve for a nominal salary. In a sister state the salary of each member of the Board of Forestry is \$100 per year."

8 Jan. '07, p.39-40

- h Tenn. Patterson.** Cooperation with federal Forestry Bureau to study conditions for reforesting denuded lands.

7 Jan. '07, p.9-10

Recommendation renewed.

1 Apr. '07, p.3

1893

### Forest fires

- a Fla. Broward.** "The game wardens could, under a proper law for the protection of our forests from fire, be made also fire-wardens and be of untold value to this state, for it is of vital importance that steps for the protection of the forests from fires be promptly undertaken, and that such laws as are necessary for the protection of this valuable resource be passed at this session of the Legislature."

2 Apr. '07, p.52

- b Pa. Pennypacker.** ". . . Ultimate success in forestry depends upon our ability to prevent the destruction caused by fires. In my message of 1905 I made two recommendations upon this subject, the first that the railroad corporations of the state and those having railroad lines passing through it be required under fixed penalty and the payment of resultant damages to put out all fires within one hundred feet of their tracks except within municipalities, and the second that all persons and corporations who may hereafter for any reason fell forest timber be required to remove from the woods when they take away the lumber the strippings, light material and all other parts of the trees and that a sufficient penalty be imposed upon failure to comply. I now renew these suggestions."

1 Jan. '07, p.5-6

- c U. Cutler.** ". . . I am convinced that one of the greatest dangers to timber outside of federal control is from forest fires. Destructive fires occur every year, especially in the fall, and they are most commonly caused by careless campers. It would be well for you to investigate this matter, and formulate a law visiting severe penalties upon those who carelessly and criminally endanger the forests, and thus cause irreparable loss to Utah."

15 Jan. '07, p.44

1894

### Forest preserves

- a Nev. Sparks.** Asks for legislation whereby income of counties containing forest reserves can be ascertained that state may share in federal government school and road money. 21 Jan. '07, p.4-6

1894

- b N. M. Hagerman.** “. . . It therefore becomes the duty of this Legislature to pass a law for the disposition of this money [federal forest reserve fund], and of all further sums of money which shall be paid in the future to the territorial government for the same purposes, and I desire especially to call your attention to that provision of the law which says that the Legislature may expend these sums for the benefit of the public schools and public roads of the county or counties in which the reserve is situated. The law also limits the action of the Legislature by providing that when a forest reserve is in more than one county, the distributive share to each county from the proceeds of said reserve shall be proportional to its area therein. As the amount of income from this source will doubtless greatly increase from year to year, both on account of the larger amount of fees received from the reserves which were established when last year's distribution was made, and because of the large acreage of new reserves which have since been established, I recommend your careful consideration in the preparation of a law for the disposition of this income. The total acreage of forest preserves in New Mexico at present is 6,982,406.”  
21 Jan. '07, p.39-40
- c N. Y. Hughes.** “There has been general recognition in recent years of the vast importance to the state of the preservation of its forests. To prevent the irreparable loss which would be occasioned by their devastation and conversion to private uses the state has pursued the policy of acquiring forest tracts. This policy should be continued, and as rapidly as possible and so far as may be necessary to accomplish its purpose the state should extend its holdings. All propositions which may involve any diversion of these lands from the purpose of their acquisition should be most carefully scrutinized. . . .”  
2 Jan. '07, p.25
- d Or. Chamberlain.** “. . . Permit me to call your attention to the fact that more than one fifth of the area of the state, or 11,569,848 acres, is included within these federal reserves, and therefore practically withdrawn from settlement or sale. The moneys derived from this immense body of land ought all to be paid to the state to be added to the irreducible school fund, deducting first the cost of collecting the same. I suggest that a resolution be passed calling upon our representatives in Congress to use their influence to have a law passed that will bring about this result.”  
16 Jan. '07, p.9-10
- e U. S. Roosevelt.** “. . . The forests of the White mountains and southern Appalachian regions should also be preserved; and they can not be unless the people of the states in which they lie, through their representatives in the Congress, secure vigorous action by the national government.”  
3 Dec. '06, p.28
- f U. Cutler.** Asks for legislation to apply money given by the federal government from the income of forest reserves to roads and schools.  
15 Jan. '07, p.30-31

1894

- g U. Cutler. Requesting the Legislature to provide for the use of the funds received from proceeds of forest reserves, by the creation of the county roads and bridges fund from forest reserves, and the apportionment of the fund among the several counties.

4 Feb. '07

1900

## Game and fish

- a Ala. Jelks. "The passage of a comprehensive fish and game law is, to my mind, quite imperative. No real protection can be secured short of a provision which arranges for game wardens. The bill ought to be comprehensive enough to embrace other birds than game birds. It is well enough to begin at once a work looking to preventing the total extinction of our game, and as well our song birds. . ."
- 8 Jan. '07, p.25
- b Fla. Broward. ". . . Every legitimate protection and encouragement should be given the fish and oyster industry of the state, and only such restrictions and limitations placed on them as will secure the preservation of the oyster beds and the supply of fish, and protection of their spawning grounds; but such restrictions as will accomplish this result should be provided, and not only provided, but the means should also be provided for their strict enforcement by the proper state authorities. The bedding places of our inland fish should be protected during spawning season, and especially should you protect the breeding grounds of the mullet, our most valuable and numerous food fish, along the lagoons and inlets of the east and west coasts of Florida. . ."
- 2 Apr. '07, p.41
- c Fla. Broward. Renews recommendation for appointment of state game and fire wardens.
- 2 Apr. '07, p.51-52
- d N. H. Floyd. ". . . The [fish and game] law, I think, is faulty, in that it makes the receipts of the commissioners dependent somewhat upon the prosecutions they institute and the costs they collect. In many cases the fines are excessive, and when added to the costs, make a penalty out of proportion to the offense, especially where, as is often the case, the violation of the law is due to the ignorance or carelessness of the defendant, rather than his deliberate intention to do wrong."
- 3 Jan. '07, p.14
- e S. D. Crawford. ". . . Unless our wild game is more carefully protected from the ravages of the hunter, it will be but a short period of time when we shall have no wild game. In the September number of Recreation is an article from the graphic pen of Clate Tinan, editor of the Kimball Graphic upon 'The Vanishing Prairie Hen—Why It Cannot Survive,' that touches the heart of every lover of this splendid bird. I hope you may be able to agree upon some good and effective law upon this subject. In whatever law you enact, provision should be made that will permit trustworthy persons to take specimens of game and fish, song, insectivorous and other birds for scientific purposes for colleges and museums."
- 8 Jan. '07, p.41

1900

- f Tenn. Patterson. Protection of game. 7 Jan. '07, p.9  
Recommendation renewed as to fish. 1 Apr. '07, p.3

1906

### License to hunt or fish

- a Fla. Broward. "I . . . strongly recommend the enactment of a statute similar to the one introduced at the last session, establishing a graduated license tax upon the fish industry. I do this not for the purpose of raising revenue, but to provide a means for the enforcement of such regulations in regard to inspection and observance of the closed and open season, and methods of taking, as are now provided or may hereafter be provided."  
2 Apr. '07, p.46
- b N. M. Hagerman. ". . . The passage of a new game law providing for the license system, which has been adopted in 36 states, is urgently needed. The plan for raising funds for the protection of game by the sale of licenses, has proven the most successful thus far devised. The funds derived from this source are in many states very considerable and are usually used directly for the protection of game. The protection of our wild animals and birds is a matter of great importance, and I urgently recommend that you pass a license law, which will make it possible for the Game Warden to afford such protection in fact as well as in theory."  
21 Jan. '07, p.40-41
- c U. Cutler. "I would also recommend that an annual fee of at least \$1 be charged resident hunters and fishermen."  
15 Jan. '07, p.23

1909

### Game

*See also 1856, Noxious animals*

1913

### Big game

1919

### Deer

- a N. H. Floyd. "In some sections of the state where there is no open season, deer have multiplied rapidly, and do great damage to growing crops. The law which protects them at all seasons of the year without in any way compensating farmers and gardeners for the injury they do, can, I think, wisely be changed."  
3 Jan. '07, p.14
- b Vt. Bell. ". . . Our laws should operate not only to the pleasure of the sportsman, but to the profit, (or surely not to the loss,) of the landowner who often suffers inconvenience and actual damage when his fields are made a runway and his crops a forage for wild game. Deer are an esthetic attraction when a part of the landscape picture in forest or pasture, but the poetry of the situation is lost to the farmer whose grain fields are trampled down and crops destroyed. Cattle and sheep frequently become wild in the back pastures and the farmer's dog is often trained to drive them and all other intruders from his master's

## FISH

fields. It must be a discriminating dog who can see the difference between deer and domestic animals under such circumstances. A careless hunter often makes more real damage than the game he seeks. While we protect the man with the license, let us not forget the resident taxpayer who summers and winters with us. . . ."

4 Oct. '06, p.14-15

1944

### Birds

1947

#### Game birds

- a N. C. Glenn. ". . . It [the Audubon Society] asks that the time for hunting [game birds] commence November 15th and end March 1st, and be allowed at no other time in any county. I approve the request. The law should be uniform, and it is hoped you will so make it."

9 Jan. '07, p.23

1950

#### Gallinae

Black game, capercaillie, grouse, partridge or ruffed grouse, pheasant, prairie chicken, ptarmigan, quail, sage fowl, wild turkey

- a Pa. Pennypacker. ". . . It would be well for a series of years to prevent entirely by legislation the killing of quail, woodcock and pheasants or grouse."
- b S. D. Elrod. ". . . It seems to me that it might be advisable to make the open season for the shooting of prairie chickens and of quail alternate for a few years."

8 Jan. '07, p.40-41

1959

## Fish

1961

#### Fish culture

- a Nev. Sparks. Fish propagation.
- b U. Cutler. "It is the opinion of experts on fish breeding that not enough attention is paid in Utah to the matter of fish hatcheries. There are enough streams and lakes in the state to furnish all the fresh-water fish needed for our food supply, if they were properly stocked with fry, and if fish hatcheries were established at advantageous places. Among these can be named especially Utah lake and Spring lake, both in Utah county. The first of these is peculiarly adapted to the propagation of black bass; the second, of both black bass and trout. It has been recommended, and I approve the suggestion, that you authorize the establishment of fish hatcheries at the two places named, and elsewhere if deemed advisable. In this connection, it has been said that Utah lake, which produces fish to the value of only \$10,000 per year, could, by being plentifully stocked with bass, be made to produce at least ten times that amount. In addition, the improved fishing would be an inducement for tourists and sportsmen from various places to come to Utah for that particular sport, and spend their money here. If that is the case, and I see no cause to doubt it, the establishment of fish hatcheries and the improving of Utah lake and other bodies of water as places

21 Jan. '07, p.10-11

1961

for fish propagation, even though the initial cost of these improvements were considerable, would be a matter of financial prudence." 15 Jan. '07, p.22-23

- c Wy. Brooks. "In my message to the Legislature two years ago . . . I recommended that the Legislature investigate the methods of fish culture pursued in other states, with a view of placing our fish hatcheries on a more economical basis. At this time I wish to again strongly renew that recommendation. . . We certainly can not afford to run state institutions for political effect. . . With the extension of railroads and consequently improved transportation facilities, it is all nonsense for Wyoming to maintain five fish hatcheries, when two would do better. . ." 10 Jan. '07, p.31

1974

### Special kinds of fish

1988

#### Shad. Herring. Sardines

- a N.J. Stokes. ". . . The United States Bureau of Fisheries, our own Fish and Game Commission, and the Commissioner of Fisheries of Pennsylvania, all concur in the recommendation for uniform legislation for the protection of the shad fisheries. . ." 8 Jan. '07, p.21-22
- b Pa. Pennypacker. ". . . The shad and sturgeon are rapidly disappearing from the Delaware, and the commission to consider this subject with similar commissions from the other states interested should be renewed." 1 Jan. '07, p.6

2000

### Shellfish. Miscellaneous

2011

#### Oysters

- a Del. Lea. ". . . I submit that the present statute should be repealed and a full and comprehensive statute relative to oysters be enacted, which would afford adequate protection to the state interests and avoid undue hardships upon the present lessees of oyster plantations. . . Any statute enacted should provide for a resurvey of the natural rocks and beds adapted to oyster culture, which survey with plots should be filed and recorded in permanent form; for the appropriation of funds sufficient to make such survey and plots; for the leasing of such land for definite periods and for the adequate protection to all lessees." 1 Jan. '07, p.6-7
- b N.C. Glenn. Changes in oyster and fish law. 9 Jan. '07, p.21

2020

### Mines and mining

See also 500, Corporations; 846, Taxation. For labor in mines see 2040

- a Col. McDonald. "The rapid development of our coal areas in the past few years has added greatly to the responsibilities of our Coal Mine Inspector, who is now operating under a law passed 20 years ago, which provided for only one deputy. . . He should be provided with two more deputies by this session of



## MINES AND MINING

2020

the Legislature. . . . A revision of the law governing coal mines would not be amiss, as the law under which they are now operated is somewhat old and I believe many improvements could be made which would tend to prevent accidents and protect the lives of the workmen, as well as being of material advantage to the operators themselves. . . ."

3 Jan. '07, p.12-13

- b Minn. Johnson.** ". . . I herewith submit to you the advisability of organizing a new state department devoted to that subject and the creation of the position of state commissioner of mines, giving such official powers and duties similar to those of the commissioners of insurance, labor, railroads and warehouses . . . . To this department might be intrusted the enforcement of the state mine inspection and regulation laws, the examination of the mineral resources of the state school and other public lands, the protection of the state's interests in iron ore royalties and mineral contracts and leases, as well as the maintenance of a bureau of statistics and general information in regard to the mining industries and mineral resources of the state for the aid and use of the state legislative and various executive departments. . . ."

9 Jan. '07, 17-18

- c Nev. Sparks.** ". . . It is apparent that the mining industry requires a state mineralogist to examine scientifically the mining claims in every district in the state. The reports will bear the impress of official indorsement which will disseminate knowledge and instruction not accessible from other sources. . . . It is strange, indeed, that the paramount industry should not have been recognized by placing a competent officer at the head with duties defined and equipments furnished and a salary commensurate with the ability and talent required to perform the duties acceptably. I earnestly recommend that such an office be created and provided for."

21 Jan. '07, p.3-4

2024

### *Corporations*

- a Or. Chamberlain.** ". . . The American Mining Congress appointed a committee of distinguished gentlemen to prepare a bill for the punishment of mining fakers and promoters of illegitimate mining enterprises, and I presume it will be submitted to you. . . . Any person who undertakes to sell or assent to the publication, privately or publicly, of a fraudulent or exaggerated report tending to give any person or the public the idea of a greater value than such stock really possesses, with intent to defraud, ought to be deemed guilty of a felony and punished accordingly."

16 Jan. '07, p.31

- b U. Cutler.** "I have the honor to call your attention to the steps already taken in California and at the Mining Congress recently held in Denver, Colorado, for the suppression of fraudulent schemes in the name of mining, having for their purpose the enriching of the promoter at the expense of the honest but deceived investor. The California statute, enacted by

the Legislature of that state in 1905, makes the flotation of these fraudulent schemes and the distribution of misleading statements to bolster them up, a felony punishable by imprisonment for a term not exceeding two years, or a fine of not more than \$5000, or by both fine and imprisonment. A bill providing for the punishment of the promoters of these nefarious schemes was drafted by distinguished representatives at the American Mining Congress, and adopted by that body for recommendation to the various state Legislatures. Its provisions are similar to those of the California statute already referred to. I would strongly urge in the interest of honest, legitimate mining, that a similar law be enacted in Utah. For while our state has been freer than some others from these schemes, it is most desirable that steps be taken to rid the community of the few now being floated, and to prevent, as nearly as may be, any recurrence of such frauds. I shall be pleased to submit to your committees on mines and mining, if desired for their information and assistance, the California statute and the proposed bill adopted by the Mining Congress."

15 Jan. '07, p.43

2027

*Fraud. Larceny*

- a **Col. McDonald.** "You will doubtless have presented to you for your consideration a bill looking towards the punishment of people who are trying to promulgate [fictitious mining] companies. . . . If such a law is enacted, you should display great care and judgment in its provisions. All mining people are not dishonest. . . . Many a man honestly believes he has found a 'good thing,' but has not the money with which to develop it, so organizes a company and disposes of enough stock to make further developments. His judgment is not sustained, and it proves a failure; the money has been honestly expended and the promoter has been honest in his intentions and disappointed in the result. Such a man should not be made amenable to a 'fraud law.' . . . It will be necessary for you to draw exceedingly fine distinctions, or you may do an irreparable damage to one of our most profitable and legitimate resources." 3 Jan. '07, p.15

- b **Wy. Brooks.** ". . . A general movement for the suppression of fake mining companies and the sale of worthless mining stock is in progress in most of the intermountain states. The investment of capital in mining enterprises would undoubtedly be encouraged by the enactment of a protective measure on the same general lines as that observed in other states." 10 Jan. '07, p.20-21

2040

## Labor

*See also 354. Convict labor*

- a **Ct. Woodruff.** "In my opinion the Factory Inspectors and the Labor Bureau should be placed under one head. At the present time the Labor Bureau has five agents in this state, who are

2040

acting as intelligence offices, where the employer can secure help and where persons may secure employment. That is practically all that is being done by the Labor Bureau except in compiling statistics which are furnished by cities, towns and manufacturers . . . The agents representing such consolidated bureau should be general agents under the direct charge of the commissioner who should have the right to send his men into any district of the state that he sees fit. Such agents should not be kept in one district more than a year at a time. . . " 9 Jan. '07, p.12-13

- b **Ill. Deneen.** "The work of factory inspection has been enormously increased in the last two years, and the present force in this department is insufficient to secure the full discharge of the duties imposed upon the department by the law creating it. Specific recommendations as to the nature and kind of increase in the personnel of the department will be found in its report, which I shall later transmit to your honorable body. To one class of the industries, subject to inspection, I especially call your attention: the industries which employ hazardous or dangerous machinery. The majority of the accidents, fatal and otherwise, occurring in this class of industries, can be very much decreased by the amendment, amplification and rigid enforcement of the laws designed to compel the use of protective devices about dangerous machinery. Besides the enlargement of the force of factory inspectors, additional legislation may be necessary to make effective the work of the department in connection with sweat shops; with the sanitation of food producing establishments; the regulation of street trades; the provision of temporary floors during the construction of high buildings; the enforcement of the child labor law. Various new bills and amendments to the present law, have been prepared by the department covering the subjects mentioned. . . To keep pace with the augmentation of its duties, arising from this and other sources, a commensurate enlargement of the department force is necessary. I, therefore, solicit your careful consideration of the factory inspection report, and the legislative measures which will be submitted to you this session, in connection with its recommendations." 9 Jan. '07, p.43

- c **Mass. Guild.** "It is evident that legislation is necessary providing that any employee of the commonwealth becoming cognizant in his official capacity of a violation of the factory laws or of any laws of the commonwealth should be permitted to report such violation to the district police." 3 Jan. '07, p.19

- d **Minn. Johnson.** "In connection with the subject of labor legislation, I also wish to submit to you the desirability of increasing the number of labor inspectors, not only for inspection of shops and factories, but for prevention of child labor and enforcement of the truancy laws, to the end that there may be an inspector in each of the nine congressional districts of the state." 9 Jan. '07, p.43

2040

- c Neb. Mickey.** "The results accomplished by the Bureau of Labor and Industrial Statistics are not satisfactory and are not commensurate with the cost of maintenance. So far as I have been able to observe the entire history of the bureau has been a disappointment. If you think best to continue the department I recommend that the services of the clerk be dispensed with, as the Deputy Commissioner and the stenographer constitute ample office force." 3 Jan. '07, p.16

- f N. H. Floyd.** Recommends abolition of Labor Bureau.

3 Jan. '07, p.17

- g N. Y. Hughes.** ". . . Prior to 1901 the Bureaus or Departments of Labor Statistics, Factory Inspection, and Mediation and Arbitration were separately organized. In that year they were consolidated into the present Department of Labor, but this was accomplished without a suitable revision of the law and some confusion has resulted. Not only should the law be carefully revised, but provision should promptly be made to increase the efficiency of the department by thoroughly equipping it for its work. . . There is urgent need for more inspectors. It is utterly impossible for the present force to meet the requirements of the law, and whatever increase is necessary to secure the enforcement of the important provisions of the statutes regulating the conditions of labor should be supplied without delay. To attain proper efficiency the work should be specialized and positions and salaries should be graded." 2 Jan. '07, p.22-23

- h W. Va. Dawson.** Investigation of peonage and labor conditions.

17 Jan. '07, p.3-35

2052

### Safety of employees

*See also 2125, Employers liability*

- a Col. Buchtel.** "Another subject which you will need to consider is the necessity of requiring railways and all employers who use machinery to adopt all possible safety appliances to protect men who work with machinery. . . All possible methods of preventing accidents, and all established checks on the work of train despatchers, and all humane rules about reasonable hours of labor should be included in this safety appliance law. . ."

8 Jan. '07, p.24

2063

### Mines

*See also 2020, Mines and mining*

- a Mon. Toole.** ". . . I recommend the enactment of a law providing for the regulation of the ventilation and sanitation of the mines under the authority of the State Mine Inspector. . ."

8 Jan. '07, p.15-16

- b Mon. Toole.** ". . . In his report the Coal Mine Inspector makes the following recommendations, which seem to be reasonable and in the interest of operators and operatives alike: That all coal mine managers, superintendents, foremen, bosses, fire bosses

of coal mines, whether the mines be rated as gaseous or not, be required to undergo examination before an examining board, and secure certificates. That the foreman of a mine be required to visit every part of a working face every other day, so as to be personally familiar with all of the conditions of the property for which he is responsible. That timber cut and squared at both ends be delivered at the mouth of working, so that it may be at hand in case of urgent need. That the driving of entries and crosscuts be regulated as to their distances from each other, etc. That standing or stagnant water shall not be allowed to remain in courses, entries, travelways or rooms, and that no obstruction of any nature shall be placed in crosscuts, rooms or entries used as airways; and in case of falls and caves, in such places, that they be removed at once. That for the purpose of ascertaining the volume of air traveling in the mine and the face of each working place, the foreman or other person in charge shall be compelled to take the measurement at least once a week, and make monthly reports of the same to the State Inspector; this law to apply to all mines employing 15 or more men underground. That provision be made for the periodical testing of coal mine scales. That the answering of statistical interrogatories sent out by the department to coal mine operators be made compulsory. That all laws regulating coal mines be provided with fine and imprisonment penalties, so as to avoid whenever possible the resort to an injunction, which closes down the property, throws the miners out of employment and stops the output of the mine. That the handling of explosives and blasting in the coal mines be regulated by law."

8 Jan. '07, p.16-17

2064

*Health and comfort of employees*

- a U. Cutler. ". . . For the greater safety of miners, the inspector recommends some changes in the law, and I heartily approve his suggestions. He states that in his opinion the law should prohibit the firing of powder in large mines in the daytime. Also that the increase in the application of electricity for lighting, ventilating, and the operation of machinery, necessitates the passage of laws to prevent danger from high tension wires. I also urge, in line with his recommendations, that the law be so amended as to apply to metalliferous mines, as well as to coal mines; and that it be made to include all coal mines, instead of exempting, as at present, mines employing fewer than six men. . ."

15 Jan. '07, p.23

2085

**Hours**

*See also 2113, Employment*

- a U. S. Roosevelt. "I call your attention to the need of passing the bill limiting the number of hours of employment of railroad employees. The measure is a very moderate one and I can conceive of no serious objection to it. Indeed, so far as it is in our

power, it should be our aim steadily to reduce the number of hours of labor, with as a goal the general introduction of an eight hour day. There are industries in which it is not possible that the hours of labor should be reduced; just as there are communities not far enough advanced for such a movement to be for their good, or, if in the tropics, so situated that there is no analogy between their needs and ours in this matter. . . . But the wage workers of the United States are of so high a grade that alike from the merely industrial standpoint and from the civic standpoint it should be our object to do what we can in the direction of securing the general observance of an eight hour day. . . . Half holidays during summer should be established for government employees; it is as desirable for wage workers who toil with their hands as for salaried officials whose labor is mental that there should be a reasonable amount of holiday."

3 Dec. '06, p.14-15

2092

#### *Sunday labor*

*See also 929, Sunday observance*

- a **Mass. Guild.** ". . . If women and children are to be forbidden night work, all workers of all ages and sexes should be given, as far as possible, the one day's rest in seven especially demanded for a people of strenuous application and high strung nervous activity. Where work of necessity and emergency enforces employment on Sunday, an opportunity should be given the Sunday toiler for some other day of rest." 3 Jan. '07, p.19-20

2097

#### **Railways**

- a **Fla. Broward.** "I would further recommend that a statute be passed prohibiting the railroads operating in this state from keeping any employee in continuous service, either as engineer, conductor, brakeman, flagman, station agent or operator, for more than 16 consecutive hours, and that no such employee, after 16 consecutive hours of service, shall be permitted to again go on duty without having had at least 10 hours off duty; except in cases of emergency, such as accidents or wrecks, or delayed schedules. And that the average number of hours daily service for station agents and operators should be limited to not more than 10 hours per day, especially as in many cases the station agent is also operator and charged with the duty of dispatching trains, and in some cases also bridge tender." 2 Apr. '07, p.20
- b **Ia. Cummins.** "I invite your earnest attention to the danger incident to the practice of allowing or requiring men in the railway service to work continuously so long that they can not exercise the care essential to their own safety and to the safety of the traveling public. . . . I recommend the enactment of a law that will fairly and reasonably limit continuous service of employees engaged in the movement of railway trains."

14 Jan. '07, p.35

2097

- c S. D. Crawford. ". . . A bill is pending before Congress to limit the continuous employment of these men [railroad employees] to 16 hours. A law of the same kind should be enacted here and should provide a respite of eight hours to the employee who has been continuously at work for 16 hours before he can be again called out. Not only does the bodily health of the men demand this, but the safety of the public require it."

8 Jan. '07, p.29

2098

*Street railways*

- a R. I. Higgins. "I . . . would submit for your consideration . . . a law reenacting the 10 hour law for motormen and conductors passed at the January session in 1902, having in view the safety of the public. . ."

3 Jan. '07, p.22

2100

**Wages**

*See also 742, Garnishment*

- a Fla. Broward. "I would not be understood as recommending the lessening of wages paid to any employee, but would recommend that the railroads be prohibited from paying less than the average wage paid to laborers and employees of other corporations or individuals for the same class of labor or employment."

2 Apr. '07, p.23

2113

**Employment**

2115

*Free employment bureaus*

- a Mich. Warner. ". . . The law permits the establishment of these free [employment] bureaus only in cities having a population of 50,000 or over, and the provision made for their support necessarily limited the work to the cities of Detroit and Grand Rapids. . . The recommendation of the commissioner that the operations of this law be extended to all cities having a population of 40,000 and over, thus bringing the benefits of the system nearer to the rural population, is worthy of careful consideration."

3 Jan. '07, p.7

- b Minn. Johnson. ". . . The success of this experiment at Minneapolis would seem to warrant the opening of other free employment agencies, at least at such large industrial centers as St Paul and Duluth; and I submit to you that the general industrial interests of the state and the success of the experiment justify such expansion."

9 Jan. '07, p.42-43

2117

*Women*

- a Ct. Woodruff. "Many thousands of women and girls are employed in the shops, factories and stores of this state. The conditions of their labor, the sanitary and moral surroundings of such workers need attention in many places. I call this matter to your attention and recommend that your honorable body consider the advisability of authorizing the appointment of at least one woman deputy factory inspector."

9 Jan. '07, p.13

2117

- b U. S. Roosevelt. Renews recommendation for an investigation of child and female labor throughout the country. 3 Dec. '06, p.15

2118

*Children*

See also 2172, Children (dependent and neglected); 2270, Compulsory attendance

- a Ala. Jelks. "The law which you passed at your last session restricting child labor in the mills was not sufficiently reformatory of old methods and has not been very effective. I take it this subject will be carefully treated by you in the interest of the future manhood and womanhood of this state." 8 Jan. '07, p.15
- b Ala. Comer. "There is quite a development of cotton mills and mining interests in the state, and in both of these, particularly the former, boys and girls of tender age can be used. The best interest of the state demands that there should be a limitation of age and state supervision of their employment. On the farm and in other outdoor work a continuance of labor is impossible on account of the vicissitudes of the weather. I suggest, therefore, that you introduce a graduated limitation of age, and also some method with regard to the introduction of compulsory education; thus, not only breaking into the possible continuity of indoor work, but also giving the advantages of education. At the same time, I will caution you that a great many people have gone to the mills to work because they have found by experience that they can earn more money and do better there than they can elsewhere, and in large families they can better take care of themselves with their earning capacity there than elsewhere, and it is a very serious matter for the state to assume the guardianship as to how and when these people shall work and direct and dictate to them by methods of law as to whether they shall not work where they think to their best interest. . ." 15 Jan. '07, p.21
- c Ala. Comer. "It is just and right that you should provide an effective method for enforcing the child labor law. . ." 9 July '07, p.16
- d Fla. Broward. ". . . You should enact a child labor law at this session which will prevent the growth of this evil and effectually check and crush out such as does exist in this state. . ." 2 Apr. '07, p.39
- e Me. Cobb. "I especially urge you to change and improve the laws bearing upon the question of child labor in this state. Maine is lagging here and the children themselves are helpless. You must be their champions, and neither the thoughtlessness of parents nor the indifference of employers must be permitted to interfere with the performance of the state's manifest duty to provide, as best she may, for the moral, physical and educational welfare of these children to whom unfortunately so many of the pleasures and opportunities of childhood are denied."

3 Jan. '07, p.12



2118

**f** **Mass. Guild.** "The medical examination of minors engaged in industrial pursuits is working well in England and other countries. I suggest for your consideration whether minors with weak lungs or hearts or eyes or joints should longer invite premature deformity or death in occupations dangerous to their physical development. Town after town already is reporting the beneficial effect of medical inspection of children in the schools. Shall not Massachusetts lead also in medical inspection of the children in our factories? . . ."

3 Jan. '07, p.20

**g** **Mo. Folk.** "Child labor is the enemy of civilization. It goes hand in hand with ignorance and with crime. This evil exists to an alarming extent in many if not all of the manufacturing states. I have visited many of the factories of our own state, and have seen numerous instances of little children working away at the looms or in some other capacity. . . The state is interested in these children, for they will be the future citizens of the commonwealth, and the state is concerned in having them good citizens and not bad citizens. Instead of sacrificing them in the hopper of greed they should be at school, acquiring an education, and fitting themselves for the duties of citizenship in the years to come. I recommend rigid child labor laws, and I assure you they will be strictly enforced within this state if I have the power to enforce them."

2 Jan. '07, p.17

**h** **Mon. Toole.** ". . . If the vote of two years ago on the amendment prohibiting the employment of children in underground mines may be taken as an indication, there can be no possible doubt of the people's approval of legislation designed to make impossible here the horrors of the sweatshops, the cotton factories and other large employing concerns as they are known in so many of the states to the east of us. The experience of these communities in wrestling with the problem may well be a warning and an incentive to Montana to make a duplication of the fearful situation forever impossible in this state. In prohibiting child labor in the mines, Montana has done well, but the state should go farther. It might prohibit the employment of children under a given age in any factory or shop; prohibit the permission of children to work, without which provision the former enactment would be of little effect; prohibit the night labor of children; and evolve a plan whereby the provisions of the law could not be evaded by false statements as to the ages of children sought to be employed. This latter situation might be met by amending the present school law so that a duplicate copy of the school census for each district in the state should be furnished to the Bureau of Agriculture, Labor and Industry, or such department as might be deemed advisable in the opinion of the Assembly. These statistics, furnished in the first instance by parents or guardians of children, should be made conclusive evidence as to the age of the child employed or about to be employed. . ."

8 Jan. '07, p.32-34

2118

- i **Neb.** Mickey. ". . . The employment of children of tender years in factories, stores, theaters, concert halls, saloons, and in even worse places, is a crime against youth and if persisted in will have a serious effect upon the body politic. I recommend that an adequate law be enacted upon this subject and that there be coupled with it such a compulsory education section as can be made effective." 3 Jan. '07, p.22
- j **N. Y.** Hughes. "I recommend to your careful consideration the important subject of child labor. Laws for the protection of children, in securing to them their right to an elementary education and in surrounding them with appropriate safeguards, make a special appeal to humane sentiment, and nothing should be left undone to give them full effect. Children under 16 should have an eight hour day. Such a provision will not only furnish protection from excessive strain, but will also aid the administrative officers in their enforcement of the law. I also recommend that in order to protect children against dangerous employments there should be a more precise prohibition specifying the occupations in which children under 16 shall not be employed. General prohibitions as to such matters are apt to be found inoperative. . ." 2 Jan. '07, p.23
- k **N. C.** Glenn. ". . . Only one suggestion will I at this time make in regard to child labor, and that is, that children who can not read or write shall not work in factories until they are 14. . ." 9 Jan. '07, p.15
- n **U. S.** Roosevelt. ". . . There is, however, one law on the subject which should be enacted immediately, because there is no need for an investigation in reference thereto, and the failure to enact it is discreditable to the national government. A drastic and thoroughgoing child labor law should be enacted for the District of Columbia and the territories." 3 Dec. '06, p.15

2125

### **Employers liability. Insurance**

*See also 1732, Insurance; 1762, Industrial insurance*

- a **Ala.** Comer. "I recommend laws giving to employees of common carriers in this state rights and remedies equal to those given by the recent act of Congress to employees of interstate carriers." 15 Jan. '07, p.12
- b **Ark.** Little. "The state government owes to her laboring people, employed in dangerous vocations, to pass all proper and needful laws to secure to them the best possible protection against loss of health and life, and to secure to them or their families, in cases of death, the right to recover in damages proper compensation for all injuries received while in the discharge of their duties under their employment, not the result of their own negligence, but received as the result of the negligence of their employers or fellow servants. These propositions, based upon

- the principles of right and humanity, should receive your careful attention and favorable action." 18 Jan. '07, p.8
- c **Ct. Woodruff.** "Many strong legal minds differ on the provisions that should enter into a bill to regulate the liability of an employer for accidents to employees. The question ramifies into every department of manufacture and labor and I would recommend that it be referred for investigation to a special committee to consist of an employer of labor, a representative of labor, and a lawyer, none of whom should be a member of the General Assembly. Such a committee should hold public hearings and make a report of its recommendations for action by this General Assembly. . . ." 9 Jan. '07, p.10
- d **Ind. Hanly.** "The classification contained in the employers liability law as respects corporations other than railroads is too narrow, so narrow in fact as to make doubtful the validity of the statute. . . Its defects can be reached by amendment. . . The classification mentioned in section 1 should be broadened so as to include all persons, natural and artificial, except municipal corporations. . . In this connection I desire also to commend to your consideration the enactment of a statute that shall establish the principle of comparative negligence in all personal injury cases. The rule of comparative negligence is a just and humane one. However grossly negligent the employer may be, the employee is now precluded from recovering damages in any case where his own negligence has contributed, however slight the degree, to his own injury. This is a harsh and an unjust rule. It should be modified to the extent suggested." 10 Jan. '07, p.57
- e **Ia. Cummins.** "The rules of law which in this state govern the liability of an employer to employees are, in many respects, flagrantly unjust to the employees. They need careful revision. At the last session of Congress, a statute was passed which gave expression to an enlightened view of one phase of the subject, so far as interstate commerce is concerned. This statute has recently been declared unconstitutional, solely because the court believed that the states, and not the general government, had the power to deal with the matter. Without going into detail, I recommend the passage of a law which will be the substantial equivalent of the act adopted by Congress." 14 Jan. '07, p.22
- f **Minn. Johnson.** Extension of employers liability act. 9 Jan. '07, p.42
- g **N. J. Stokes.** "The report of the Commission on Master and Servant will be presented to you at this session. The law on this subject is largely judge made, and has become a mass of legal subtleties more fruitful of controversy and litigation than capable of doing justice. . . The employer should know the extent of his liability to his employee, and the workman should be reasonably certain of compensation in case of injury, without the risk of losing his case in court and his situation as well." 8 Jan. '07, p.19-20

2125

**h S. D. Crawford.** Recommends employers liability act along lines of the federal statute. 8 Jan. '07, p.28-29

**i U. S. Roosevelt.** "Among the excellent laws which the Congress passed at the last session was an employers liability law. It was a marked step in advance to get the recognition of employers liability on the statute books; but the law did not go far enough. . . Compensation for accidents or deaths due in any line of industry to the actual conditions under which that industry is carried on, should be paid by that portion of the community for the benefit of which the industry is carried on—that is, by those who profit by the industry. If the entire trade risk is placed upon the employer he will promptly and properly add it to the legitimate cost of production and assess it proportionately upon the consumers of his commodity. It is therefore clear to my mind that the law should place this entire 'risk of a trade' upon the employer. Neither the federal law, nor, as far as I am informed, the state laws dealing with the question of employers liability are sufficiently thoroughgoing. The federal law should of course include employees in navy yards, arsenals, and the like."

3 Dec. '06, p.15-16

2126

#### Railroads

**a Ga. Smith.** ". . . I agree with the view expressed by President Roosevelt that it is unjust when an employee loses limb or life to place the entire loss upon him or his family, in the class of cases called mere accidents. Especially is it unjust to free the corporation from the liability in those cases defended upon the ground that the employee knew of the negligence of the company and assumed the risk of such negligence. . . I trust that by statute this wrong may be stopped, and that this section of the code of Georgia may be repealed. Another rule has grown up in our state which requires the presiding judge to charge that an employee to recover must be 'absolutely free from fault,' and that if the employee is guilty of negligence, 'however slight,' his recovery is defeated. This extreme rule is peculiar to Georgia. I recommend that it be changed, and that only negligence which amounts to lack of ordinary care be permitted to defeat recovery by an employee." 29 June '07, p.16-17

**b Wis. Davidson.** ". . . I recommend the passage of a law which will permit railway employees to recover damages for injuries, if it is found that their negligence was less than that of the railroad or that of a coemployee contributing to the injury, and that in all cases there shall be submitted to the jury the question of the existence of contributory negligence and the comparison of the negligence as between the railroad and the employee. It seems no more than just that where the negligence of the railroad contributed to the injury the company should bear a proportionate share of the loss." 10 Jan. '07, p.41-42

## CHARITIES

2134

### Labor disputes

*See also* 749, Injunction

2136

### Conciliation and arbitration

- a U. S. Roosevelt. "The commission appointed by the President October 16, 1902, at the request of both the anthracite coal operators and miners, to inquire into, consider, and pass upon the questions in controversy in connection with the strike in the anthracite regions of Pennsylvania and the causes out of which the controversy arose, in their report, findings, and award expressed the belief 'that the state and federal governments should provide the machinery for what may be called the compulsory investigation of controversies between employers and employees when they arise.' This expression of belief is deserving of the favorable consideration of the Congress and the enactment of its provisions into law. . ."

3 Dec. '06, p.16

2140

## Charities

*See also* 60, State institutions; 335, Corrections; 1761, Fraternal beneficiary societies

- a S. D. Crawford. "I found that in the management of the Soldiers' Home, the Reform School and the Hospitals for the Insane and Feeble Minded, much difficulty is experienced in securing efficient help, such as matrons, laborers, attendants, cooks and household servants, because the wages which the management is permitted to pay are not high enough to meet the competition from the outside. . . The appropriations to pay for help of this kind should permit the state to pay wages high enough to secure the best service, and hold it against outside competition."

8 Jan. '07, p.7

2142

### State boards and officers

- a Ill. Deneen. "The State Board of Public Charities desires to make an exhaustive study of the question of charity administration in America and abroad. It asks an appropriation of \$4000 to do this work. I approve the recommendation, and suggest that, if the Legislature grants the appropriation, the Board of Charities make a specific report to the next General Assembly. . . I approve of the plan of the State Board of Charities to amplify and modernize its own office service to make it in keeping with the improved service provided for the institutions under its supervision."
- b Minn. Johnson. "Since the creation by law of the board of control, the state has pursued the policy of divided authority in the management of the Minnesota School for the Deaf and Blind and the State Public School. I believe that the management of these institutions ought to be exclusively under the board of control. . ."

9 Jan. '07, p.10

9 Jan. '07, p.49

2142

- c **N. D. Sarles.** "I feel satisfied the state board of control system, including our penal and charitable institutions, would be valuable to this state in various ways. . . Under our present system there is, in my opinion, entirely too much buying at local retail prices and too great a tendency to local dictation of management. I am fully satisfied a competent board of control, giving, as in Wisconsin, all their time to their duties, would be an absolute benefit to our state and its penal and charitable institutions. . . ." 9 Jan. '07, p.9-10
- d **S. D. Crawford.** "Another matter which I find to be the cause of some dissatisfaction in the administration of these institutions is the curtailment of the power of the head of the institution to act within his sound discretion upon matters of detail in the administration of the institution under his care in the absence of the supervising member of the controlling board. I believe that the head of the institution, if worthy to have it in his charge and keeping at all, should be intrusted with the power to take the initiative in matters of local administration, subject, of course, to the right of the controlling board to overrule him in case of abuse of discretion. . . ." 8 Jan. '07, p.8

2143

**State institutions (general)**

- a **Me. Cobb.** "A fire occurred in the laundry of the Asylum for the Insane at Augusta last fall which not only caused a severe pecuniary loss and much inconvenience, but demonstrated beyond a doubt that the water supply for the extinguishment of fire was altogether inadequate. It is of the utmost importance that the asylums be fully protected against disasters of this nature, for the consequences of an uncontrolled conflagration there would be most appalling. . . Prompt action should be taken to secure water in such quantity and of such power that all apprehension of danger from this source may be removed." 3 Jan. '07, p.10-11
- b **N. C. Glenn.** "It has been wisely suggested that the state authorize the issuing of \$2,000,000 worth of bonds . . . and with the proceeds put all of the public buildings and institutions, especially those for the care of our afflicted, in first-class condition, and sufficient for their requirements for years to come. . . The new bonds would only be issued as they were wanted, and the improvements in our institutions would be made permanent, and not patched as at present. . . Much as I am ordinarily opposed to a bond issue, I can see the wisdom of the above suggestion, and if the demands require it, believe it should be adopted by you. . . ." 9 Jan. '07, p.42
- c **N. C. Glenn.** "As the law now is in some institutions, no officer, employee, or agent can be elected by the directors, unless nominated by the superintendent; thus making the appointee under obligations to the superintendent. In all cases the superin-

tendents are the secretaries of the boards, and sit with them even though investigating their conduct or management, and in one institution the directors can trade with themselves. All of this is wrong, and should be corrected. The directors should in fact direct, and elect all officers, etc., so that they would not be under obligations to the superintendents. The superintendents ought not to be the secretaries of the boards, but should at each meeting make their reports, and retire, unless requested to remain, thus leaving the directors free and unembarrassed by their presence; and no director or superintendent should ever be allowed to trade with the institution they represent—thus avoiding even the appearance of evil. . .” 9 Jan. '07, p.43

**2144 Local boards, officers and institutions**

- a N. M. Hagerman. “It is undoubtedly true that all the charitable institutions which receive appropriations from the territory are very worthy in themselves and accomplish most excellent results, it is also true that some of them are more than local in their character, and do not confine their operations to any one county or municipality. There are others, however, that are almost purely local, and it does not seem that all the taxpayers of the territory should be called upon to support them. If the policy of supporting such local institutions at territorial expense is continued, its limitation, with the continuous growth of the territory, will be very difficult. . .” 21 Jan. '07, p.17

**2145 Private charities and institutions**

- a Kan. Hoch. “. . . A large number of private institutions of a charitable nature are also partly supported by funds from the state treasury. This policy has always been open to criticism. Its wisdom has often been questioned; but conceding its wisdom, its imperfection in operation must be admitted. Some of these institutions may not need help, while other similar institutions in the state, equally as worthy, are not assisted at all. . . I think the whole matter should be placed in the hands of the State Board of Control, or at least the indorsement of that board should be necessary before money is appropriated to any of these institutions. In this connection I wish to call attention to another matter. Representatives of so called private charities are constantly going about the state soliciting contributions to their institutions. Many impostors, representing no institution at all, impose upon the charitably disposed people of the state in this manner. If some legal method could be devised by which these solicitors would be compelled to have the indorsement of the State Board of Control, it would be a great protection to legitimate institutions as well as to the people.” 8 Jan. '07, p.23-24

2149

## Poor relief

*See also* 260, Vagrancy; 2406, Pensions and relief

2155

## Poorhouses

2157

### *Local institutions*

- a W. Va. Dawson. "I have been asked to call your attention to the deplorable condition of the paupers in some of our county poorhouses. I understand that the practice is still in vogue in some counties of selling out the keeping of these unfortunate people to the lowest bidder; and certainly it is true that in the caring for of these persons there is greater effort to save money than to consider their welfare. The conditions affecting these unfortunate of our fellow citizens are not such that we can boast of, and it is submitted that these conditions would be bettered generally, with probably less expense to the taxpayer, if two, three or more adjoining or adjacent counties would join in the maintenance of central infirmaries for the housing and caring for of the poor." 8 Jan. '07, p.111

2160

## Sick and disabled

*See also* 1020, Communicable diseases

2165

## Hospitals

*See also* 1042, Tuberculosis hospital

2166

### *State hospitals*

- a Wash. Mead. ". . . The time has arrived when we are frequently coming in contact with the aged, the infirm, the maimed and the helpless who from injuries sustained or from the wear of years are incapable of maintaining themselves, and who are without relatives and friends who should assume the responsibility of their care. A state infirmary or some similar institution should be provided for such purpose. . ." 14 Jan. '07, p.23

2172

## Children

*See also* 346, Reform; 371, Juvenile offenders; 474, Family; 2118, Employment

- a Cal. Pardee. "Educational work is also needed along the line of remedying the physical deficiencies of children during the school age, and especially in relation to the deficiencies of dependent children cared for in orphanages. Many of these are handicapped for life for want of simple treatment given at the right time, and, for the lack of such treatment, paupers, criminals, and human failures abound where self-respecting and self-sustaining citizens would otherwise have resulted." 7 Jan. '07, p.28



2182

**Placing out. Care of infants**

- a **Ill. Deneen.** "Acting under the law for the visitation of children in family homes, in force July 1, 1905, the State Board of Charities appointed an agent and secured two visitors from the Civil Service Commission. The work of these employees has disclosed conditions which prove there is need of such a law. This branch of the Board of Charities service should be amplified. New legislation is required providing that children not having legal guardians be reported to the clerk of the proper court, that legal guardians may be appointed; that there shall be no transfer of guardianship until such transfer shall have been approved by a court of competent jurisdiction and that 'baby farms' and 'lying-in hospitals' be subject to inspection and certification by the State Board of Charities."

9 Jan. '07, p.9

2183

**Defectives**

*See also 2220, Education*

- a **N. M. Hagerman.** "The New Mexico Institute for the Blind is located at Alamogordo, and the Asylum for the Deaf and Dumb is at Santa Fé. Both institutions have very handsome, well constructed buildings, modern and up to date in every respect. . . . Either of these buildings would be quite sufficient to take care of all the deaf, dumb and blind children whom the territory should be called upon to educate, for many years to come. The two efficient chief teachers now employed in both should be able to as successfully educate their respective classes of unfortunate children in one, and the expense of maintenance per capita, with the same food and comforts, would be greatly reduced. Certain of the teachers and all of the employees could administer to the needs of all the inmates.

I therefore strongly recommend that these two institutions be amalgamated into one; that the Institute for the Blind at Alamogordo be changed into the 'Institute for the Deaf, Dumb and Blind,' and that the laws necessary to bring about this change be enacted."

21 Jan. '07, p.21-22

2184

**Deaf and dumb**

2186

**State institutions**

- a **Minn. Johnson.** "I believe, also, that some statutory provision should be made providing for compulsory education of the deaf and dumb children of the state. It is estimated that there are at least 150 children in the state who have never attended the institution for the education of the deaf and dumb; and that upwards of 40 children who have attended the school at times, and who probably belong there now, are not in attendance."

9 Jan. '07, p.49

2185

- b N. C. Glenn. ". . . A great effort ought, therefore, to be made to get all these unfortunate little ones into this School [for the White Deaf and Dumb], even if it requires a quasi compulsory law to make them enter. . . . A fire escape for both white and colored [deaf, dumb and blind schools] is an imperative necessity, and a failure to protect these little helpless ones in case of fire would be criminal. Some needed repairs on roof and ceiling, and in raising one building a story higher, will be requested, and, I think, should be granted. . . ."

9 Jan. '07, p.37-39

2188

### Blind

- a Ill. Deneen. "There are in Illinois 5000 blind persons not in state institutions. I recommend an appropriation of \$1000 to buy books for the free use of these unfortunates. Other states, notably New York, have such libraries. . . ."

9 Jan. '07, p.10

2193

### Insane

*See also 60, State institutions*

- a Cal. Pardee. ". . . There is a growing conviction among hospital authorities the country over that better work ought to be done toward effecting permanent cures of patients suffering from mental ailments. Our hospitals have been taking good physical care of patients intrusted to their charge, but they have all been overcrowded and have not been supplied with up to date appliances for the proper treatment of the patients. There is not a state hospital in California today that is fully equipped. All of them should be, and I respectfully commend to the Legislature the wisdom, economy, and humanity of making appropriations for each of the five institutions sufficient in amount to build and equip suitable cottages for the care and effective treatment of acute cases. . . ."

7 Jan. '07, p.20-21

- b Ill. Deneen. ". . . There are two broad, general classes of the insane, the acute hopeful and the chronic incurable cases. For hopeful cases, the water treatment, known as hydrotherapy, already has been installed in some of the institutions, and I hope will be extended speedily to others. By means of this treatment, many incipient and acute cases of insanity are cured, and the patients, instead of becoming lifelong inmates of hospitals, with the curse of insanity upon them, and placing a burden upon the state, return to their homes as productive members of society. The installation of the bath treatment costs from \$3000 to \$40,000 for each institution, according to the number of acute curable cases received. I heartily favor the extension of this system of treatment to all state hospitals receiving acute cases. Industrial reeducation is possible for 40 to 70% of all insane persons in the Illinois hospitals, chiefly the chronic insane. Industrial reeducation means training to work with the hands. Because of degen-

erating brain power, many insane persons can not undertake intellectual work, but they are capable of learning the manual arts. The medical value of such work is that it gives employment to otherwise idle people. The picture of hundreds of idle insane persons, cherishing horrible delusions, sitting hour after hour in long gloomy corridors, is one not soon to be forgotten. Employment is a blessing to them. It tends to relieve them of hallucinations and delusions. On the economic side, industrial reeducation is of value, because in many cases patients can return to the home and perform productive labor, thus relieving the state of caring for them, and the tasks that they perform while in the institution are a source of income to the state. Work at which chronic insane can be employed is common labor, farm, garden and kitchen work, manufacture of institution supplies, plain sewing, crotcheting, lace making, carpet weaving, rug making, etc. Shops for the employment of the insane could be constructed and equipped for \$8000 to \$20,000 each. Many insane patients already are employed in our institutions. I favor the employment of all insane who are physically capable of it." 9 Jan. '07, p.5-6

- c **Kan.** Hoch. "The suggestion of Mrs Cora G. Lewis, visiting member of the Board of Control, for the purchase of lands adjacent to our state hospitals for the insane, to be cultivated by harmless inmates of these institutions, seems to me to have much merit. The suggestion seems to be wise not only from a financial standpoint but also from the standpoint of the best physical and mental good to these unfortunates, and I recommend the subject to your favorable consideration." 8 Jan. '07, p.23

- d **Minn.** Johnson. ". . . In the treatment and care of our insane population we have not paid that attention which we ought to the treatment of new cases, and have occupied ourselves rather with the matter of detention; and because of this policy our hospitals for insane have for many years had a congested population which made it impossible to devote the necessary and required attention toward the cure of the inmates. Every needed facility should be afforded and the various hospitals made to conform as largely as possible to the general hospital idea. . . A large element of the population of our insane hospitals includes a class of patients who are perfectly harmless and incapable of any improvement through medical treatment. Many of these could be as well cared for in the various counties from which they come as at the hospitals for insane. Practically all that the state can do for them in their present locations is to supply food and raiment, and their presence retards the general scientific work of the caring for insane people. Then too, the hospitals include a certain population known as the dangerous and criminal insane. The board of control recommends the construction of a building for the detention of classes in question, with necessary legislation to make legal commitments and transfers thereto, and advocates

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a sufficient appropriation to maintain it. This recommendation should either be followed or provision should be made at the state prison for their detention there. The convict or criminal insane should certainly not be allowed to mingle with the non-criminal insane. Insanity is certainly not a crime. It is a disease, and should be treated as a disease; and there is no good excuse for the commingling of this class of patients with that other class of patients of whom there is hope of improvement by medical treatment. I would especially call your attention to that portion of the report of the board of control dealing with proposed new buildings at the various hospitals for insane. . . ."

9 Jan. '07, p.48-49

- c **Neb. Mickey.** ". . . I deem it important that the chapter of our statutes dealing with the insane be revised, that the three asylums be placed on exactly the same footing. . . . That there be no distinction in the character of the patients received at either institution, and that the state be conveniently districted so that each asylum shall receive the patients coming from its own district. The word "incurable" is almost brutal in its suggestion and it should be omitted from the title of any and all of the asylums."

3 Jan. '07, p.12-13

- f **N. C. Glenn.** ". . . The General Assembly should provide not only suitable and sufficient hospitals for the indigent insane, but for all—giving, of course, under the law, the preference to the indigent, and requiring the nonindigent to pay enough to reimburse the state for its actual expense in caring for them. . . . Humanity demands that the state should take care of all these classes, except the harmless idiots, and for these strong laws should be enacted, requiring their counties to properly care for them, unless provided for by their own people. It is a fatal mistake not to care for the epileptics, for often they are the most dangerous of all classes. Hundreds of these unfortunate persons are incurable; but this does not lessen our legal and moral obligation to provide for them. There are others who with proper treatment and good surroundings can be cured and return restored in mind to home and family. The state can afford to take all insane persons out of the common jails and county homes and properly treat them in hospitals provided for that purpose. . . . It has been suggested that the State's Prison is not now needed for convicts, and could be made an elegant hospital for the epileptic and dangerous insane; and I would advise that you appoint a committee, and have them, together with suitable architects, to inspect the building and see if this plan is feasible."

9 Jan. '07, p.39-41

2198

### State asylums

- a **Col. Buchtel.** "The conditions at the Asylum for the Insane call for quick action. We ought not to build any more buildings to house the insane in the midst of the railroad tracks at

Pueblo. But the overcrowded condition of the asylum demands more buildings somewhere. The quickest and most humane method of relieving the congestion is to buy a farm and build inexpensive cottages and thus give to the harmless insane an opportunity to live in the open and to do a little work. This would restore some of them to sanity." 8 Jan. '07, p.30

- b Pa. Stuart. ". . . We have not kept pace in the last 10 years with the rapid increase in the number of cases of this character, and as a consequence the state institutions for the insane are much overcrowded. . . . Therefore, I most earnestly recommend that immediate consideration be given the question of providing additional accommodations, not only to relieve present conditions, but also to allow for the increase during the next few years. . . ." 15 Jan. '07, p.4-5

- c S. C. Heyward. ". . . Today our State Hospital has accommodations for 1000 patients, but during the past year nearly 400 patients in excess of its capacity have been crowded within the buildings. . . . Another building is now imperatively required. . . . The state can no longer afford to allow the present overcrowded conditions at the asylum to continue. In considering the future welfare of our insane, I am convinced that it would be a wise policy on the part of the state to consider the proposition by the Regents to purchase additional land a short distance from the city for the double purpose of a colony for chronic insane and also for farming lands for the support of the hospital. . . ." 8 Jan. '07, p.14-15

- d S. D. Elrod. ". . . A duplicate building should be erected without delay for the women. In one room 20 by 21 feet I found 10 beds. The room was scrupulously clean and neat but it is a living shame that 10 sick, insane people should be compelled to sleep in the same room. . . ." 8 Jan. '07, p.19-20

- e S. D. Elrod. "The last session of the Legislature located an additional hospital for the insane at Watertown to be constructed upon land now belonging to the state, provided no money should be appropriated for building a new hospital until there should be in the hospital at Yankton the proper maximum of 1000 patients. I recommend that the Board of Charities and Corrections be authorized to select the site for the buildings to be hereafter erected on said land and, as soon thereafter as such selection has been made, that they employ a landscape gardener to lay out the grounds and plant trees; that said board should also be required to plant an orchard of not less than 5 acres on the said lands, and that the cultivation and care of said trees and orchards from the time they are planted should be under the control of said board, and that a sufficient appropriation be made for the above named purpose." 8 Jan. '07, p.21

2199 **Institutional boards, officers and employees**

- a **Wash. Mead.** "The duty of promoting means for the recovery of patients committed to the state hospitals for insane is paramount to the obligation of providing places for their detention and restraint. . . . The state, for humanitarian and economical reasons, can well afford to invite the leading alienists of the commonwealth to perform this important work. The inadequate salaries now provided are, however, a serious handicap in extending the efficiency of our institutions to improve the condition of the insane." 14 Jan. '07, p.22

2202 **Private asylums**

- a **Or. Chamberlain.** "Within the past few years a number of private asylums or hospitals for the care of the insane have sprung into existence, and many patients are being treated in them. Without intending any reflection upon the present management of any one of them but rather to guard against abuses that may arise in the conduct of such institutions in the hands of irresponsible or cruel persons, a law should be passed placing all such institutions under the compulsory visitatorial power of some state authority. Such a course will tend to prevent cruel practices against those who are insane in fact, and remove the temptation afforded mercenary or otherwise interested persons to keep troublesome relatives shut in from the world. . . ." 16 Jan. '07, p.25

2205 **Inquest. Commitment. Discharge**

- a **Ill. Deneen.** ". . . Under the present law, except in the case of voluntary patients, it is necessary to receive a patient in a hospital, to have a person specifically adjudged insane in a County Court and committed as insane to a hospital. Many persons hesitate to have a relative declared insane. Some look upon this as a disgrace, but, as insane persons are only sick persons, it merely is a misfortune. However, to facilitate quick treatment of suspected, incipient or acute cases of insanity, I believe the lunacy laws of Illinois should be amended to provide for temporary commitments to hospitals for the insane, for periods of 30 days. These commitments should be made by county judges upon the recommendation of a commission of licensed practicing physicians. In this way the misfortune of commitment as insane would be avoided in many cases which would recover in the 30 day period and return to a productive life. If, during the 30 day period of observation and treatment, insanity of longer duration develops, then the regular commitment as insane could be made. Alienists estimate that 20 to 30% of the chronic, incurable insane stood a good chance of cure at the onset of their disease, by means of immediate treatment in a modern hospital; and that from 60 to 75% of the acute, supposedly curable cases could have been cured by such treatment. Under existing conditions of delay only

## CHARITIES DEFECTIVES

5 to 7% of all cases of insanity admitted to hospitals are discharged as cured. I favor an amendment framed in the hope of increasing this percentage of cures. . . " 9 Jan. '07, p.7

2210

### Epileptics

2213

#### *State asylums and colonies*

- a Cal. Pardee. ". . . In my judgment, the Legislature should make provision for establishing an epileptic colony at the Home for Feeble-Minded. In this way many patients now improperly in our insane asylums would be given care and attention which they can not receive in the asylums. . . " 7 Jan. '07, p.22
- b Col. McDonald. ". . . If a new hospital is decided upon, provision should be made for the care of epileptics in a separate building." 3 Jan. '07, p.9
- c Ill. Deneen. ". . . Proper state care for this unfortunate class [epileptics] calls for segregation in a separate institution. For this purpose, the State Board of Charities has recommended an appropriation of \$365,000. I approve this recommendation." 9 Jan. '07, p.8

2215

### Feeble-minded

- a Wy. Brooks. "The Board of Charities and Reform has, from time to time, had applications for the care and education of feeble-minded children. The difficulty encountered by the board in this connection has been that of finding a school within reasonable distance, and at which charges are not excessive, where this class of unfortunates may be sent. . . The result has been that it has become necessary to have some cases of this class sent to the State Hospital for the Insane. . . This arrangement is manifestly an unsatisfactory one, and is by no means such as the Board desires. Our laws upon this subject are incomplete, and such legislation is recommended as will more clearly define the duties of this board in reference to cases of this kind, and will suggest a method for their proper care." 19 Jan. '07, p.38

2218

#### *State institutions*

- a Minn. Johnson. "I also call your attention to the report of the superintendent of the school for the feeble-minded and colony for epileptics. According to this report, it appears that at the present time the institution is incapable of receiving and caring for a large number of people who properly belong there. He states that there are now 200 applicants upon the waiting list, and that if applications continue to be filed in the future as they have in the past, the number of applicants unable to be accommodated will reach at least 400 during the coming biennial period. The welfare of these unfortunate people and society itself requires immediate action looking toward a solution of this condition." 9 Jan. '07, p.49

2218

- b N. H. Floyd. ". . . There are now in the institution [School for Feeble Minded] 85 inmates. The accommodations are insufficient and there is no room for more, although there are known to be in the state nearly a hundred who are proper subjects for admission. If these are to be received and cared for, new buildings must be provided. The management is now believed to be in the hands of an efficient board of trustees, and if the number of inmates be doubled the cost of maintenance per inmate can be largely reduced, and the purposes of the founders greatly promoted. To provide for this new buildings must be erected and the cost of operation increased. Indeed, it does not appear how the expense can ever be decreased, as the pressure for admission will continue and few of the inmates can safely be discharged capable of taking care of themselves. The only choice is between keeping them for life or setting them free, to trouble the community and reproduce their kind." 3 Jan. '07, p.12-13
- c Or. Chamberlain. "The Legislature at its last session passed an act to authorize the State Board of Building Commissioners to ascertain the cost and to purchase and pay for the necessary grounds and to take the initiatory steps toward the establishment of an institute for feeble-minded and epileptic children. The board, acting under the authority of this statute, appointed Mr Geo. W. Jones, Superintendent of the Oregon Institute for the Blind, to visit institutions of other states, with the view of ascertaining conditions in order that we might proceed intelligently here along the lines which are being followed elsewhere. . . I earnestly recommend that prompt action be taken along the lines pointed out by the board in their report." 16 Jan. '07, p.28-29
- d R. I. Higgins. "My attention has been called by responsible citizens to the necessity and propriety of establishing a home for the feeble-minded, epileptics, etc., within the borders of the state. . . It is believed by those thoroughly conversant with this question that the state could build and maintain within its borders a separate home for all such persons at less cost than \$15,000 per annum, that being the present expense to the state. . . I therefore recommend the appointment of a committee of the Legislature to inquire into the results attained in the separate state homes established elsewhere, and to report to this Legislature upon the necessity and advisability of establishing such a home in this state." 3 Jan. '07, p.18-19
- e U. Cutler. ". . . I would strongly urge provision for these unfortunates, [feeble-minded children] by the establishment of a school under such regulations as you, in your wisdom, may deem advisable, where they may be taught the common branches, and trained in such handiwork as will remove at least a portion of the disability under which nature has placed them. As to this school being connected with the public schools or other state institutions,



or entirely separate from them, I should like to consult with you. Epileptics could also be kept in this institution. It is said that in the country at large one person in every 500 is an epileptic. I think this proportion does not hold good in Utah; but there are enough of them, in addition to the class here mentioned, to warrant the establishment of an institution where they can be specially taught and treated. . ."

15 Jan. '07, p.16-17

2220

## Education. Science. Culture

*See also 2184, Deaf and dumb; 2188, Blind*

- a **Ga. Terrell.** "The Educational Conference of Business Men, which convened in the Senate chamber May 24, 1907, and which was composed of 50 prominent business men . . . makes the following recommendations, which I think are not only deserving of the approval of business men, but of all the people, viz: 1st. Larger funds; 2d. The securing of trained and efficient teachers, and the payment to them, regularly, of living salaries, at least; 3d. Better local and state supervision; 4th. Vital connection between our elementary schools and our higher institutions; 5th. Proper support of the district agricultural schools. . ."
- 26 June '07, p.14-18
- b **Ga. Terrell.** "The plan for state and county supervision of our schools as proposed by the resolutions adopted by the State Educational Association, at its meeting in April, 1907, seems to be a well considered plan. . . The principal features of this plan are: 1st. A professional State Board of Education in lieu of the present ex officio one, composed of statehouse officers. 2d. Efficient county supervision, and, 3d, a more complete and better correlated school system. These are both practical and desirable. . ."
- 26 June '07, p.18
- c **Ill. Deneen.** Codification of school laws; commission to study other school systems.
- 9 Jan. '07, p.23
- d **Minn. Johnson.** ". . . Provision should be made for the appointment of at least two state inspectors of semigraded and rural schools receiving special state aid, for the purpose of safeguarding and properly distributing and using the money granted by the state for the betterment of these schools. . ."
- 9 Jan. '07, p.34
- e **N. M. Hagerman.** ". . . The school laws of New Mexico have been frequently revised and remodeled. In doing this they have become unnecessarily bulky; many contradictions and inconsistencies can be found in them. In some places the language is such that the trained lawyer interprets it doubtfully. The law has served a good purpose, but it would do much for the cause of education if the Legislature would create a small, competent commission to cooperate with the Territorial Board of Education in making a complete revision or rewriting of the existing laws."

21 Jan. '07, p.30

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- f **N. C. Glenn.** “. . . He [the superintendent] has made valuable suggestions to you, which I urge you to carefully consider. To better instruct teachers themselves, he desires more institutes and summer schools. He urges that you continue the special appropriation of \$200,000 for insuring a four months' school in every county. He suggests the enactment of a mild, conservative compulsory attendance law, requiring all children between 8 and 12 to attend the public school, or some private school, for four months in the year—said law to be put into effect in a county upon petitions made in compliance with his suggestions; or, if you deem best (and this is, in my judgment, wisest and most democratic), to submit it to the qualified voters of the territory petitioning for compulsory education. He also recommends that you enact a law declaring schools a necessary expense and authorizing the commissioners of a county to levy a special tax on all property and polls, not exceeding 10 cents on the hundred dollars worth of property, and 30 cents on the poll, for the improvement and support of the public schools, and requiring the commissioners of every county receiving aid from the special appropriation for four months schools, to levy a tax on all property and polls sufficient to raise an amount equal at least to the amount received from the special state appropriation. Again, I repeat: I approve all of the above splendid suggestions of the superintendent, and hope you will carry them into effect.” 9 Jan. '07, p.27-28
- g **N. D. Burke.** “. . . The State Superintendent in his second biennial report, calls attention to the necessity of revising the school laws. . . . The special district, the independent district, and the general school district should be governed and regulated by the same general laws. There is no necessity for different laws, except for their organization. A revision with this end in view would simplify the law, cut it down to one third its length and make it definite and certain.” 9 Jan. '07, p.4
- h **S. D. Elrod.** “At the annual meeting of the county superintendents they requested me to appoint a committee to revise and rewrite the school laws of the state. . . . The school laws of the state have been amended and changed so many times that it is important that they be edited and reenacted.” 8 Jan. '07, p.8
- i **Tenn. Patterson.** “. . . From the educational reports and my own study of the question, I have come to the conclusion that our school system needs thorough and radical change, if the children of Tennessee are to receive the full benefit of the state's appropriations.

I therefore recommend:

1. The extension of the benefits of what is known as the Tollett law.
2. The passage of a law offering state aid to those counties whose revenues are insufficient for the purpose, so that the com-

## EDUCATION

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pensation of no county superintendent shall be less than \$300 per year.

3. The abolishment of the office of school director.

4. The substitution of a county board of education to consist of five members, who will have full control of employment of teachers and exercise all powers now conferred by law upon the school directors.

5. A law requiring the County Courts to divide each county into five school districts, one member to be elected from each district by the qualified voters thereof, those elected to constitute the board of five."

7 Jan. '07, p.5-7

Recommendation renewed.

1 Apr. '07, p.2

- j **Wash.** Mead. "I am in accord with the leading educators of the state in the belief that a commission should be appointed to recodify the school laws of the state, and that provision be made for the systematic inspection and supervision of high schools by the State Department of Public Instruction; also that expert supervision of school district finances be prescribed."

14 Jan. '07, p.38

2223

### Elementary and secondary education

- a **Fla.** Broward. Renews recommendations for requiring teachers to report monthly on work and attendance, such reports to be compiled by state superintendent annually, copies of report be furnished every teacher; revision and codification of school laws with special reference to accounting and checking of school money; uniform courses of study; uniform system of textbooks.

2 Apr. '07, p.28-30

- b **Mo.** Folk. ". . . There should be efficient supervision of the rural schools in every county of the state. Experience has shown that the rural schools can not keep pace with the city, town or village schools unless they can be frequently visited by an efficient and helpful supervisor. Only 19 counties of the state have county supervision. Eight months should be the minimum of schools in each district if a levy of 65 cents on the hundred dollars valuation is sufficient therefor. Higher qualifications for teachers should be constantly insisted upon. The teachers should be paid as much as the school fund can reasonably afford. . ."

2 Jan. '07, p.18-19

- c **N.H.** Floyd. ". . . There is good ground for believing that a large number of our common schools are going backward rather than forward. They need better teachers and more of them; they need a longer school year, and they need more businesslike and competent supervision. Money spent on good schools is money well invested, and the state must not grudge doing willingly that part of the maintenance of the schools which it falls to the lot of the state to do. But every appropriation

made for this purpose should carry with it provisions guaranteeing its economical expenditure, whether the same is to be laid out by local officers or by state officers." 3 Jan. '07, p.16

2228

**Officers. Boards**

2229

*State*

- a **Ga. Smith.** "The common school system of Georgia finds at its head a State School Commissioner with a board of education not composed of educators, and giving little direction to the work. I cordially commend the recommendation of the teachers of Georgia that a board of education should be created at the head of our common school system for the state composed of men trained as educators, men who understand the wants of the common schools, and who will help improve them."

29 June '07, p.23-24

- b **Minn. Johnson.** ". . . In view of the constantly increasing work of this Department [of Public Instruction] provision should be made for another assistant, the contingent fund should be increased, and there should be a more liberal allowance for clerk hire."

9 Jan. '07, p.35

- c **N.D. Sarles.** "A board of regents for our educational institutions would be a decided improvement over our present system."

9 Jan. '07, p.9-10

- d **W. Va. Dawson.** ". . . I trust you will consider the propriety of placing all the educational institutions under one board, such as the university, the preparatory schools, the normal schools, and the schools for the deaf and the blind, with authority to this board, acting with the State Superintendent of Free Schools, to prescribe the curriculum of said schools, the common schools, and all other schools maintained by public money, so that we may have a system of education in the state which would lead up from the common schools to the university. Under present conditions often when a youth has completed the course in our city high schools and desires to enter the collegiate department of the university, it is found that the course of study in the high school does not articulate with that in the university collegiate department, and the youth is compelled to take up studies in the preparatory schools of the university in order to round him out for the collegiate department." 8 Jan. '07, p.95-96

2230

*County*

- a **Ga. Smith.** ". . . The rural schools of each county in the state will depend largely for their success upon the work of the county school commissioner. He should be a trained teacher. He should be prepared to train the teachers under him. He should give his entire time to the work, and be paid enough to afford to do so. . ."

29 June '07, p.24

2230

- b **Minn. Johnson.** ". . . Legislation should be had looking to better educated and better paid county superintendents of schools, and provision for their election or appointment on a nonpolitical basis. . ." 9 Jan. '07, p.34
- c **N. M. Hagerman.** ". . . In city schools the most important employee is the superintendent. The same is true for a county with its 10, 20, or 70 teachers. The county superintendent is the most important factor in our school administration. The most competent, from an educational standpoint, should be placed in this office. The tendency in all the older states is to remove this office from politics. I recommend that such legislation be had as will, at the close of the terms of the present incumbents, secure the most competent, regardless of political affiliation; also legislation that will make women eligible to this office. The salaries of county school superintendents should be readjusted. . ." 21 Jan. '07, p.30
- d **S. D. Elrod.** "The county board of education as now constituted is composed largely of men who are not educators and who are not engaged in educational work. It is my opinion that the membership of the county board of education should be cut down and limited to the county superintendent and experienced teachers." 8 Jan. '07, p.8
- e **S. D. Elrod.** "County superintendents have too much on their hands. This is especially true in some of our large and densely populated counties. It seems to me that it would be advisable in counties where the population is more than 8000 to allow the county superintendent to appoint an assistant who should hold a first grade certificate and in addition should be a stenographer." 8 Jan. '07, p.8

2231

*District, township and municipal*

- a **Vt. Proctor.** ". . . Skilled supervision is the only method by which we can secure anything like uniformity of work, improve our teachers, accomplish better results, and assure full returns for money expended. It is only through this method that drawing, music, industrial arts and sciences, and other subjects essential to the broad education of our children can be introduced. . . County supervision was tried in Vermont from 1889 to 1901 and was not satisfactory. The county unit was as much too large as the town is too small. . . The group system is in operation in Massachusetts and has recently been introduced in other New England states. Under this system two or more towns may form a supervision district, such district not to exceed a maximum or fall below a minimum number of schools. The school directors from the several towns forming such a district elect a superintendent, each town paying its proportion of the expense according to its grand list. If this method of supervision were introduced town superintendency in those towns would be done away with and considerable expense saved. . .

To establish and give this system a trial in Vermont, I recommend the passage of a law making such a system permissive in the state, and providing that in case towns unite by vote of their school directors for the purpose of professional supervision of a required standard and employ a competent superintendent, a portion of the expense should be paid from the general treasury of the state. . . ."

4 Oct. '06, p.5-9

2233

**Buildings. Grounds**

- a **S. D. Elrod.** Additional ground for normal and industrial school.

8 Jan. '07 p.9-10

2237

**General school finance**

For finances of state educational institutions, see 2333

2239

**State and local**

2240

**Funds. Lands. Taxes**

See also 774, Public lands

- a **Kan. Hoch.** "Among the other suggestions made by the State Teachers' Association I would call especial attention to the proposition to levy a state school tax. This is not a proposition materially to increase school taxation. It is rather a proposition to better equalize the distribution of school taxation and the school facilities in poor districts. Only seven states . . . are without such a law. . . ."

8 Jan. '07, p.18

- b **Kan. Hoch.** Recommends advancing selling price of school lands.

8 Jan. '07, p.38

- c **Mich. Warner.** ". . . The Constitution and the laws of the state provide that all revenue from specific taxes shall be credited to the primary school interest fund, now that the state debt has been extinguished, and used solely for the payment of teachers' salaries. Until the recent change in the method of taxing railroad corporations was made, greatly increasing the revenue from this source, this provision of the Constitution worked few inequalities. Now, however, the amount of specific taxes annually collected is so great that it exceeds the needs of the object to which it must necessarily be applied. . . ."

I, therefore, commend to your careful consideration the advisability of submitting to the electors of the state, at the forthcoming general election in April, a proposition to amend the Constitution so as to provide that from the primary school interest fund all in excess of \$3½ annually for each child of school age in the state shall be apportioned on a just basis among the university, Agricultural College, College of Mines, the three normal colleges and the several county normal schools. . . ."

3 Jan. '07, p.16-17

- d **Mon. Toole.** ". . . The State Board of Education at its last meeting was so impressed with the imperfection and inadequacy of

the present system that it authorized me to appoint a committee to consider and report to the Legislature the propriety of submitting a proposed amendment to the Constitution by which a direct tax could be levied for the support and maintenance of such institutions instead of the present system. This committee has been appointed, and if, when its report is submitted, the exigencies shall require it, my recommendations will accompany its transmittal to you." 8 Jan. '07, p.28-29

- e **Neb. Sheldon.** Ways and means of expending United States forest reserve fund for benefit of public schools and public roads. 28 Jan. '07

- f **N. M. Hagerman.** ". . . Experience shows that the best system of raising money for educational purposes is a judicious combination of state and national aid with local taxation. This territorial appropriation might be made on condition that it be reasonably supplemented by local levies. Our laws providing for special levies are amply sufficient, if the people will use them. But, only a comparatively small portion of country districts avail themselves of this privilege. In short, local taxation for school purposes is very small. But some people do not know the value of education. Those that do can not afford that these, their neighbors and fellow citizens, remain ignorant. Therefore, as a matter of self protection, they must help to get the ignorant wakened up to their privileges." 21 Jan. '07, p.31-32

- g **Pa. Stuart.** ". . . With our matchless progress in material wealth our state revenues must rapidly increase, and we can safely advocate the policy of making much larger appropriations to our educational system, thereby practically relieving the farms and homes of the state, as far as possible, from taxation for school purposes. . . Therefore I most earnestly recommend such largely increased appropriations to the public schools as in the judgment of the Legislature the financial condition of the state will justify." 15 Jan. '07, p. 5-6

- h **S. C. Ansel.** ". . . It is true that many of the graded schools are kept open for nine months in the year by the help of the special taxes voted upon themselves by the taxpayers of the particular school district, but many of the small schools in the rural districts are in session but for three or four months in the year. Realizing that most of the children, who attend these schools, are receiving from them all the school advantages that they will ever get, are we doing our full duty to them? Are we thus fitting them for all of the duties of an intelligent citizenship? . . . You have no more important matter that will come before you, and I recommend that liberal appropriations be made for the common schools." 15 Jan. '07, p.4

- i **S. D. Elrod.** ". . . The present system is a safe and conservative one. Then why experiment with schemes which would expose this great fund to an army of grafters? It would cer-

2240

tainly follow if the state should withdraw school lands from sale and should undertake to lease school lands for farming purposes."

8 Jan. '07, p.30-33

- j S. D. Crawford. "While the unsold school lands are steadily advancing in value, it is very doubtful wisdom to go on selling them. In my judgment, the best of these lands should be taken from the market, and I heartily agree with the recommendation of the commissioner that the minimum price be raised to \$20 per acre. . ."

8 Jan. '07, p.9-10

- k Tex. Campbell. ". . . I hereby designate and present to you for your consideration and for legislation, the following subjects. . . To make necessary amendments and changes in the law regulating the sale of school lands and the placing of school lands on the market for sale, and to prescribe regulations in the sale of mineral land with the reservation of the mineral thereon, and to make such other changes and amendments to the law regulating the sale and leasing of school lands as may be deemed necessary."

22 Apr. '07

2241

*Investment of funds*

- a Ct. Woodruff. "The school fund now amounts to about \$2,000,000 the money being invested in loans and first mortgages upon real estate. . . As a broad proposition I do not conceive that there will be any quarrel with the suggestion that it is not properly the business of the state to compete in the money loaning field. A large part of the school fund is not invested in Connecticut, but in states somewhat remote from here. . . Savings banks and other large financial institutions are making a majority of the gilt edge loans in their own localities, and it seems an unwise policy to compete with them at home and more unwise to enter a foreign field. . . It is my conviction that the state's best interests will be conserved if the school fund be abolished by amendment to the state Constitution. . . At a date not later than 1910 the moneys accruing to the school fund should be distributed to the towns of the state in such proportion as the next national census will be found to enumerate the children of school age therein, the towns to agree under bond to repay those moneys to the State Treasurer whenever the state shall deem it wise to recall such loans."

9 Jan. '07, p.13-14

- b Minn. Johnson. ". . . The law now provides that loans to school districts for the erection of school buildings shall be at a rate of 4% per annum, and at the same time provides that this fund may be loaned for the construction of ditches for drainage at 3% per annum. It is not fair that the institutions for which this fund is created should suffer by this discrimination. It is hardly fair to provide a higher rate of investment for the schools of the state than for other purposes. . ."

9 Jan. '07, p.35

- c Neb. Mickey. "In his biennial report the Commissioner of



Public Lands and Buildings recommends that deferred payments on public land sale contracts be placed on a 5% basis, instead of 6%, as at present. For the reason that an abundance of private money can be obtained at the lower rate on farm loans the purchasers of state lands are rapidly paying up back principal, taking a deed and negotiating private loans at less expense. The result is a loss to the interest revenue of the state because it is impossible to reinvest the funds in permissible securities bearing nearly so good a rate as 5%. The commissioner also suggests that the Constitution be amended so as to permit of the investment of the permanent school fund in other securities additional to government, state and county bonds, and state warrants. The opportunity to invest in such securities as the Constitution now permits is being rapidly curtailed, for various reasons, while the amount of money which the state has for such investment is increasing and will so continue. I concur with the commissioner in both these recommendations." 3 Jan. '07, p.14-15

- d **Neb. Sheldon.** ". . . The Constitution of the state will not permit the permanent school fund to be invested in any other securities than registered county bonds of this state, and United States and state securities. The field for investment of this fund should be enlarged. There are other forms of investment equally as safe that would increase the interest return to the fund. If it were invested in municipal bonds, school bonds, or in Nebraska mortgages, the state would be benefited on account of the interest being paid at home." 3 Jan. '07, p.38

- e **Nev. Sparks.** ". . . The bonds in the Treasury, except Nevada bonds, net the school fund about 2% or less, and rather than pay the high rate of interest many land contractors are paying up on their lands. This money must go into the state school fund and be invested in bonds of no more productive value than the lowest securities we now hold. An amendment to the Constitution is needed, increasing the power of investment of state funds, and instead of restricting investments to 'bonds of the United States, the bonds of this state, or the bonds of other states in the Union,' as provided by the Constitution, the power should be given to invest at least a portion of the funds in county bonds, municipal and other bonds based on community taxation, which shall be under control of the state, and governed by the state. This would benefit the borrower by allowing him a lower rate of interest, and would give the state a higher rate than is now received. The state of Massachusetts has been pursuing this policy for years. Towns and cities desiring to negotiate loans for the purposes of sewerage, parks or water supply do not have to go into the market and take what they can get for their bonds, but can go to the state board, and upon a proper showing the state accepts the municipality for the amount and issues state bonds sufficient for the purpose. . ." 21 Jan. '07, p.16-18

2241

f N. D. Burke. "The moneys realized from the sale of school lands have increased enormously and, under the Constitution and the law, the same may be invested in first mortgages on real estate, not exceeding one third the value of the land. This I regard as the best possible investment. . . I am informed, however, by farmers who have made application for loans, that there was so much 'red tape' about it and so much delay that they were obliged to abandon the loan and borrow the money from the bank and loan agents. The law in this respect ought to be simplified. . ."

9 Jan. '07, p.10

g N. D. Sarles. "I recommend also the adoption of Minnesota's system of noncoupon school bonds where purchased by the board of university and school lands for investment for institution and public school funds. Under the Minnesota system the interest is collected by the State Treasurer issuing receipts annually to county treasurers for the various amounts, and the county treasurer charges them to the school treasurer."

9 Jan. '07, p.8

2242

*Apportionment*

a W. Va. Dawson. ". . . This [school] fund has always been distributed on population. I think part of it at least ought to be distributed according to need. Let it be provided in the law that whenever the people of a district, or of a county (if you adopt the county as a unit of taxation for the teachers fund), levy taxes upon themselves for the payment of teachers up to a certain amount, then if that rate of taxation does not provide sufficient money to pay the wages of teachers, the deficiency shall be provided from the general school fund. The present distribution per capita goes to help the richer parts as well as the poorer parts. It seems to me to be more in accordance with the purpose of the distributable school fund to distribute according to need."

8 Jan. '07, p.62

2244

*County, district and municipal*

a Tex. Campbell. ". . . As an appropriate aid to the public schools, and especially to the rural schools, I suggest that a constitutional amendment, authorizing a county ad valorem school tax, be submitted to the voters. This principle as applied to our necessities, had its origin in the mature judgment of some of our foremost educators, and is indorsed by the following platform expression: 'We recommend that the plan of county taxation for school purposes be adopted. . .'"

16 Jan. '07, p.13-14

2245

*Debts*

a N. M. Hagerman. "The records in the several counties and school districts, in reference to county and school district bonded indebtedness in past years, has been very loosely kept. The proper records are now being placed in the offices of the respective county treasurers; but to insure proper records I would

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recommend that a law be enacted requiring proper officers of both county and school districts, when issuing new bonds, refunding old bonds or funding floating indebtedness, to file in the office of the Traveling Auditor a certificate setting forth in full the transactions, and giving full data regarding the amount of the issue, the law under which issued, the number and amount of respective bonds, date, maturing and optional period, rate of interest and purpose for which bonds were issued. In the case of refunding floating indebtedness, a full and complete list comprising such indebtedness, and such information and data to be entered in a record provided for that purpose in the office of the Traveling Auditor."

21 Jan. '07, p.43

2246

### Negroes

*See also 2247, 2330*

- a Fla. Broward. ". . . I deem it best, and therefore recommend a resolution memorializing the Congress of the United States to purchase territory, either domestic or foreign, and provide means to purchase the property of the negroes, at reasonable prices, and to transport them to the territory purchased by the United States. The United States to organize a government for them of the negro race; to protect them from foreign invasion; to prevent white people from living among them on the territory, and to prevent negroes from migrating back to the United States. I believe this to be the only hope of a solution of the race problem between the white and black races, as I can see no ultimate good results that can accrue from the education of a race, without planting in their being the hope of attaining the highest position in government affairs and society. In fact, I can see no reason to expect that any man can be made happy by whetting his intelligence to that point where he can better contemplate or realize the hopeless gulf that must ever separate him and his race from the best things that the dominant race (who employ him as servant) have in store for themselves. I believe that any person so situated would grow miserable, in proportion as he increased in intelligence. I believe that we should consider the fact that the negroes are the wards of the white people, and that it is our duty to make whatever provision for them would be best for their well being. . . ."

2 Apr. '07, p.61-63

- b Ga. Smith. "The negro child should be taught manual labor and how to live. The negro teacher should be selected less by book than by character examination. The negro school to be useful needs less books and more work. I favor a complete change in the examination of teachers for the negro schools, and for them a different plan of management; I would have the schools help the negro, not injure him. . . . I seek the intelligent treatment of the negro, and to that end the radical difference between the white and negro races must be kept in view. . . ."

29 June '07, p.18-19

2246

c **Kan.** Hoch. ". . . The race problem . . . is largely an educational problem. . . The interests of the white and black alike, therefore, demand that everything possible be done to lift them into ideal citizenship. The educational problem, therefore, is a most serious one. It must be solved, if solved at all, by colored schools. Practical men of both races realize this fact. State aid extended to this class of schools is therefore along the line of practical statesmanship, and I commend to your favorable consideration the two institutions which former Legislatures have generously helped. . . ." 8 Jan. '07, p.21-22

d **S. C.** Heyward. ". . . The report of this college will be promptly submitted to your body, and in giving it your consideration, I trust that you will urge that it shall be more and more what its name implies—a colored normal, industrial, agricultural and mechanical college—eliminating all other branches." 8 Jan. '07, p.10

e **U. S.** Roosevelt. ". . . In every community the poorest citizens, those who need the schools most, would be deprived of them if they only received school facilities proportioned to the taxes they paid. This is as true of one portion of our country as of another. It is as true for the negro as for the white man. The white man, if he is wise, will decline to allow the negroes in a mass to grow to manhood and womanhood without education . . . Of course the best type of education for the colored man, taken as a whole, is such education as is conferred in schools like Hampton and Tuskegee; where the boys and girls, the young men and young women, are trained industrially as well as in the ordinary public school branches. . . ." 3 Dec. '06, p.10-11

2247

## Teachers

2253

## Employment. Pay

2254

## Salaries

a **Ala.** Jelks. ". . . Teachers are underpaid. The fund will never be sufficient until an ambitious youth can hope to realize from teaching an income which will compare favorably with the earnings of men engaged in other profitable pursuits. They are doing the world's next greatest work and the sums many of them receive are inadequate pay for their great and successful labors. Their product is finer than that turned out by the furnace or the forge; of larger value than that from pick or shovel, or what comes as fruit of loom or spindle. It becomes us to see to it that so delicate a work is committed to competent hands, and that they may be competent, it is reasonable that provision be made for the care and comfort of the workers." 8 Jan. '07, p.12-13

b **Cal.** Pardee. "Almost any active, intelligent man or woman can earn more money in private employment than our teachers

do. The natural result is that too many of our best teachers, especially men, are deserting the schoolroom for other employments. We need more men teachers, and all our teachers ought to be more contented with their positions than they can be with the salaries we pay them. . . I therefore recommend to the Legislature the amendment of the school law so that the pay of teachers shall increase a certain fixed sum, say \$10 per month, at intervals of, say, five years of continuous service. . ."

7 Jan. '07

- c Fla. Broward. ". . . If there must be a difference in the qualification of teachers, let rural schools have the benefit of it, as the results of inefficiency are much more serious here than in the city or graded schools. In other words, the work of a teacher is likely to be more effective in a graded school, where she or he is in contact with other teachers, and can observe other methods and standards, than it would be if in a one teacher country school, away from opportunities of comparison and observation. But this sort of teacher is in demand, and it will be only by making their salary adequate that their services can be secured. I would suggest for your consideration, state aid for the salary of teachers of certain standing and proficiency in rural schools. . ."

2 Apr. '07, p.26-27

- d S. D. Elrod. "It is a wonder to me that our schools are so efficient when we take into consideration that the average wages paid male teachers in 1906 was but \$42.12 and female teachers but \$38.01. We are undoubtedly increasing the standard of our teachers but are not increasing their pay as we should. Under present conditions, just as soon as a teacher can find some other employment he, or she, quits school work. Low wages make it necessary to employ inexperienced teachers. On account of the low wages paid, many of our schools were closed as late as the first of November for want of teachers. . . Increase wages and the quality and quantity of teachers will improve."

8 Jan. '07, p.7-8

- e U. Cutler. "Attention is called by the superintendent to the fact that in some districts the funds which belong exclusively to teachers' salary account are diverted by the trustees to other channels. This practice is decreasing; but in his opinion it prevails enough to justify an amendment to the law providing that amounts so diverted shall be deducted from the next annual apportionment of state or county funds to the offending district."

15 Jan. '07, p.11-12

- f W. Va. Dawson. "There is urgent necessity for an increase in the compensation of teachers. I doubt whether the average efficiency of the teachers in our public schools is as high as it was 20 years ago. This is because their compensation has not kept pace with the compensation in other lines of employment. . ."

8 Jan. '07, p.63

2254

- g **W. Va. Dawson.** ". . . I sympathize with the recommendation of better pay for teachers. Low salaries are likely to command only cheap men, the better going where the compensation is greater. If necessary let us have fewer teachers so we can have better teachers, and consequently better work done."

8 Jan. '07, p.99

2258

#### Qualifications

- a **N. M. Hagerman.** "The present system of examining and certificating of teachers is neither entirely satisfactory nor efficient. The boards of examiners are rarely sufficiently familiar with modern educational conditions and methods to judicially pass upon the qualifications of teachers. As there are 25 such boards there can hardly fail to be 25 standards for marking the answers to the same questions. Statistics show that these examinations have cost during the past year a little over \$2000. Conditions in New Mexico differ so widely that it is impossible to frame legislation with sufficient elasticity to properly meet those different conditions. In some of the states, this whole matter of examining teachers is given into the hands of either the State Board of Education, or a board of examiners created especially for this purpose. I recommend that the powers and duties of the Territorial Board of Education and the Superintendent of Public Instruction be enlarged, and this matter be intrusted to them. By doing so it may be more satisfactorily done, and at least 60% of the expense will be saved."

21 Jan. '07, p.31

2261

#### Certificates to graduates

- a **Tex. Campbell.** Recommends that the Agricultural and Mechanical College, the College of Industrial Arts for Girls, and the State Normal Colleges be authorized to grant diplomas having the force of teachers certificates to graduates in the industrial courses.

16. Jan. '07, p.14

2266

#### Normal schools

- a **Ga. Smith.** ". . . The normal school work of Georgia should be extended and improved. It might be well to make the school at Dahlonga and the school at Milledgeville distinctively normal schools, and add also a fourth school in South Georgia."

29 June '07, p.23

- b **N. J. Stokes.** ". . . There is no place in New Jersey where a college course can be taken by women, or a course in advance of that provided by the State Normal School. . . . The addition of an elective course in our Normal School, covering two years of advance work in high school branches, together with the usual pedagogical training, would equip the teacher student for high school work and would give us a teachers college course in our Normal School. . . ."

8 Jan. '07, p.17-18

- c **N. M. Hagerman.** "The territorial normal schools situated at Las Vegas and Silver City are institutions which undoubtedly de-

serve the continued support of the people of New Mexico. Properly educated teachers for the instruction of our rural population, and especially of the children of Spanish and Mexican descent in the more remote sections of the territory, are urgently needed. Many such teachers are being educated at these institutions. Both of the institutions, however, receive a larger number of local pupils who are instructed in lines not calculated to prepare them particularly for the profession of teaching than would seem desirable. While the very illuminative discussion of this phase of the situation, contained in the report of the Regents of the Normal University at Las Vegas, throws much light on the question and would seem to indicate that it is a situation made necessary to some extent by the peculiar educational conditions existing in the territory, I believe that it should be the constant effort in these, as in other territorial institutions, to confine their activities, as far as possible, to the lines of instruction for which the schools were created. The constant policy of the regents of the schools themselves, and of the legislatures who enact laws for their maintenance should, in my opinion, be directed towards this end."

21 Jan. '07, p.23-24

- d **Or. Chamberlain.** "There are too many normal schools in the state supported by money exacted from the taxpayers. One in eastern and one in western Oregon might with propriety be maintained, affording every facility to those desiring to fit themselves for teachers. But whether the four normals be retained or not, I repeat the recommendations made to the last Legislature that all be placed under one board of control. The advantages to accrue from the adoption of such a course are threefold: first, it places the one board in touch with all of the institutions, giving them an insight into their conduct and enabling them to establish the same course of studies and classes for all, so that students might leave a class in one and enter the same class in another if desired; second, it would do away with an army of regents who naturally become partizans of a particular school, and are insistent at each session of the Legislature for increased appropriations for maintenance, construction of new buildings, and for other purposes; and, third, it would tend to elevate the normal schools to the purposes of their creation, namely, the training of teachers for the public schools, and eventually eliminate preparatory and other work which is with more propriety done in the public schools. Whatever appropriation is made for the support of the normal schools ought to be in one sum for all, to be distributed by the one board of control in proportion to the actual normal school work done by each recipient. It should be provided that no regent or other officer of these or any of the schools shall be permitted to sell to them any supplies of any kind." 16 Jan. '07, p.32

- e **Tenn. Patterson.** "In regard to the proposition to appropriate outright \$250,000 to the Peabody Normal School, I call your attention to the resolution passed by the Peabody board, which

2266

I understand has already been presented to you, and the terms of which need not be repeated. From this resolution it would appear that the incalculable benefit to be derived by the permanent location and maintenance of a great institution of learning for the training and equipment of school teachers, depends alone upon an outright appropriation of \$250,000 by the state of Tennessee. This I recommend unhesitatingly. The opportunity should not be lost. . . " 7 Jan. '07, p.7-8

- f Wis. Davidson. "The Legislature of 1899 authorized the establishment of county training schools for teachers. . . I recommend that the statute restricting the number of such schools be amended so as to grant to additional counties the privilege of establishing and equipping county training schools."

10 Jan. '07, p.34

2267

### Attendance

- a W. Va. Dawson. "The report of the State Superintendent of Free Schools shows that a large number of the youth of the state are never enrolled in our schools and a low percentage of daily attendance based on enrolment and on enumeration. Truant laws will help to remedy this great evil, no doubt; but I believe the best remedy is to make every teacher a missionary, and I suggest that this be done by providing that there be added a certain percentage to the wages of the teacher in each district who has the largest attendance based on enumeration, and to the teacher also who has the largest attendance based on enrolment; and if the same teacher in the district has the largest percentage of attendance based on enrolment and enumeration, let the combined increase of wages go to that teacher. Besides this, provide that this teacher shall have a diploma of excellence from the hand of the State Superintendent of Free Schools himself, which diploma shall have a real value to the teacher as counting percentage in the examination for teachers certificates. . . "

8 Jan. '07, p.62-63

- b Wis. Davidson. ". . . By far the most serious hindrance to profitable school work is the one resulting from irregularity of attendance. . . Irregularity of attendance compared with the fact that but 69% of the strictly rural school population between the ages of 7 and 14 attended school 100 days or more for the year ending June 30, 1906, raises a question for grave consideration. This Legislature must again concern itself with the problem of improving the efficiency of the rural schools."

10 Jan. '07, p.32-33

Colored pupils, *see* 2246

2270

### Compulsory attendance. Truancy

*See also* 2118, Employment (children)

- a Ala. Comer. Compulsory attendance law recommended.

9 July '07, p.15



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- b **Ari.** Kibbey. ". . . Attendance at some school, either public or private, should be made strictly compulsory until the age of 16 is reached, and proper punishment should be provided for parents who neglect or refuse to send their children of certain ages to some school. . ." 22 Jan. '07, p.44-45
- c **Cal.** Pardee. ". . . I recommend legislation requiring incorporated cities and towns to maintain one or more attendance officers, for it is probably in cities and towns that the most serious dereliction of school duty lies. . ." 7 Jan. '07, p.29
- d **Minn.** Johnson. ". . . The labor laws and the compulsory attendance laws should be made to harmonize, and the age limit for attendance should be restored to 16 years, as the experience of the past indicates that it is not practicable to compel the attendance of pupils after the 16th year. Provision should be made also for the appointment of state truant officers, either under the Labor Bureau, Department of Public Instruction, or the Governor directly. . ." 9 Jan. '07, p.34-35
- e **Mo.** Folk. ". . . The compulsory education law is fairly satisfactory. The only amendment that may be needed, is to remedy the conflict between this and the child labor law as to children who are at work. It would, I think, be well to define the duty of the truant officer more closely, and not allow excuses, as a matter of course, for children laboring in factories, for it is better that a child be at school than in a factory." 2 Jan. '07, p.17-18
- f **S. C.** Heyward. "It has been a disappointment to me that we have not yet passed a law in reference to compulsory education. . ." 8 Jan. '07, p.10-11
- g **Wy.** Brooks. "The statute relative to compulsory education should certainly be amended and enforced. . ." 10 Jan. '07, p.15

### 2272 Place of attendance. Conveyance of pupils. Consolidation of schools

- a **Fla.** Broward. "The success of the consolidation of country schools into rural graded schools, where it has been attempted, is very marked, and should be adopted wherever the means of transportation make it practicable. By this means the pupils in country districts have the same advantages as the pupils in the graded schools in the city, as they do the same work, follow the same class organization and pass directly from the rural graded schools into advanced grades of the city graded or high schools. . ." 2 Apr. '07, p.27-28

2275

### School year, month, day

- a **S. D.** Elrod. "It is my opinion that our public school year is too long. Children ought not to be in the schoolroom to exceed eight months in any one year; teachers ought not to be required

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to teach to exceed eight months a year. Then, there is altogether too much theory and too much red tape in our schools. The tendency seems to be to load the child's mind too heavily and with too many subjects. Shorten the term, simplify the work and increase the pay of the teacher." 8 Jan. '07, p.8-9

- b **W. Va.** Dawson. ". . . I trust that you will increase it [the school term] to six months for the coming term, and provide for an increase to seven months in a short interval thereafter, and then to eight months at least within a reasonable time. . . ." 8 Jan. '07, p.63

2282

### Textbooks. Supplies

- a **Ark.** Little. ". . . The State Board of Education . . . should be authorized to adopt a series of textbooks and course of study for use in our common schools and to fix by contract under proper regulation and restriction a maximum price to be paid for the books so adopted. . . Provision should also be made for supplying books free of cost to the dependent poor, who are unable to buy them, so that the doors of our schools may not be closed against any of our children. In the event a contract can not be made fixing a fair and equitable price for the books when adopted, I recommend in that event provision be made authorizing and empowering said board of education to take such steps as may be necessary to provide for the editing, preparation and printing of textbooks for use in our common schools, and to establish a printing office for that purpose. . . ." 18 Jan. '07, p.5-6
- b **Mo.** Folk. "The last General Assembly repealed the school textbook commission law, but failed to enact anything in place of it. I call your attention to this and suggest the enactment of a textbook law by which the people may have uniformity in books, not the cheapest, but the best at the lowest possible price." 2 Jan. '07, p.19

2284

### Uniformity

- a **Ala.** Jelks. "The uniform school book law, which was passed at your last session, was made effective in the summer of 1903. . . The aggregate sale in the state on the basis of the new price list averages something like \$200,000 a year. The saving for five years to the people of this state can not hardly be less than 40% or an aggregate of \$400,000. There is added to this argument in favor of the new law the great saving which comes from avoiding repeated changes and the annoyance which parents and guardians suffer from such changes. Moreover, the average boy and girl now has a better book to study than they have known before. It will be necessary for you to provide for a new book commission to continue the operation of this most wholesome and profitable departure." 8 Jan. '07, p.9-11

2284

- b **Tex.** Campbell. Asks that cities of over 10,000 be not excepted from provisions of uniform textbook law; that there be no exceptions in favor of supplementary books. 16 Jan. '07, p.12
- c **Tex.** Campbell. ". . . I hereby designate and present to you for your consideration and for legislation, the following subjects. . . To create a state textbook board and to provide for the selection by it of a series of uniform textbooks for use in all the public free schools of the state and prescribing the powers and duties of said board. . . ." 22 Apr. '07

2327

### High schools and academies

- a **Ala.** Comer. ". . . I would commend to your careful study and consideration the propriety, at the earliest date possible, of establishing high schools, or their equivalents, in every county in the state, as I deem this one of the most advanced steps we could take towards higher education." 15 Jan. '07, p.35-36
- b **Ala.** Comer. "I would recommend that you make provision for the establishment of high schools in those counties of the state which at present have no state school; leaving the execution of same in abeyance until it is demonstrated that the funds of the state will fulfil the expense." 9 July '07, p.16
- c **Ark.** Little. "There is a growing and pressing need for high schools for our school population outside of our cities and towns, which are already accommodated. Steps should be taken looking to the establishment of these schools. . . Agriculture and horticulture should be a part of the course of study in these schools. . . ." 18 Jan. '07, p.6
- d **Kan.** Hoch. "Superintendents and principals of our city high schools are confronted with a new difficulty, the growth of high school fraternities. These fraternities should have no place in our high schools. It is difficult enough to keep them within wise limitations in colleges and universities. The essential character of our high school system is democratic. There should be no caste in these schools. . . ." 8 Jan. '07, p.19
- e **S. C.** Ansel. "I . . . ask your especial attention to and consideration of the establishment of high schools in connection with and as a part of the free school system of our state. . . ." 15 Jan. '07, p.4-5

2328

### State aid

- a **Ga.** Terrell. "The Constitution prescribes that the General Assembly may only appropriate money for educational purposes to the common schools and the university. The common schools are restricted to the elementary branches of an English education only. . . I . . . recommend that the General Assembly submit to the people an amendment under which appropriations may be made to high schools." 26 June '07, p.11-14
- b **N. C.** Glenn. "As to his [the Superintendent's] recommendation that \$100,000 be appropriated for the establishment of high

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schools, etc., while I will not oppose, still I can not indorse. . . . To me, at this time in our educational growth, every cent available should be spent in reaching the illiterate masses; and later, when the district school is made more efficient, then we can establish others. . . .” 9 Jan. '07, p.28

- c S. C. Heyward. “. . . Superintendent Martin makes a special point of the necessity for making a change in our public schools. His idea is that, at present, the public schools carry children only to seventh and eighth grades, and he thinks that state aid, supplementing school funds, should be given to supply this deficiency. A high school department in our public schools is a fine advance, and I sincerely trust this aid will be given. . . .”

8 Jan. '07, p.10

2330

## Higher education

- a N. M. Hagerman. “. . . If the efforts of previous Legislatures had been concentrated on fewer educational institutions, with a view to the greater efficiency of each, we would be at the present time in an infinitely better situation in regard to higher education in the territory than is now the case. These are manifest truths which can not be denied, and while I realize the difficulty, on account of local influences, of bringing about the desired concentration, I believe that such difficulty is not too great to be overcome, and that it is the duty of the Legislature, representative as it is of the interests of the people of the whole territory, to take this matter under serious and careful consideration.” 21 Jan. '07, p.15-18

2332

## State institutions (general)

- a Cal. Pardee. “I desire, while speaking of the university, to call attention to the fact that the salaries paid to the teaching force at Berkeley are, in many cases, only to be designated as niggardly, and in but very few even approaching a satisfactory standard. . . . The Board of Regents pays instructors and assistants, most of whom have spent years of time and thousands of dollars in qualifying themselves to teach California's sons and daughters, salaries that are, compared with the wages of mechanics and other skilled workmen, to say nothing of those occupying private positions of even less responsibility and importance than those who teach our young people, shamefully small. . . .

California, in her present time of prosperity, is able to pay the university teaching force somewhere near adequate salaries; and, being able, she ought to do it. I therefore recommend to the Legislature that the appropriation for the salaries of the teaching force at the university be increased at least 25%.”

7 Jan. '07

- b Fla. Broward. “. . . I strongly recommend to your consideration the wisdom of providing, by constitutional amendment, if

necessary, a fixed limit of minimum and maximum tax levy to be made by the properly designated state authorities after a careful investigation and examination of their needs, for the support of the higher institutions of learning in this state. . ."

2 Apr. '07, p.32-33

- c **Ill. Deneen.** Increased appropriations to strengthen the graduate and research departments of the University of Illinois.

9 Jan. '07, p.24-25

- d **Kan. Hoch.** "I wish to reaffirm the opinion expressed in my last biennial message, that the three state educational institutions should be under the management of one board of regents instead of a separate board for each. Time and experience strongly confirm the opinion. These institutions are each a part of a whole educational system, and should be considered as a unit and built up systematically. . ."

8 Jan. '07, p.37-38

- e **N. H. Floyd.** ". . . Its [The New Hampshire College's] annual report is a loud call for more money for current expenses, including higher salaries and more teachers, librarians and other assistants, a new laboratory, general repairs, new boilers and steam pipes, a library equipment, to cost \$10,000, and an appropriation of \$10,000 to complete a girls dormitory, in all something more than \$100,000. In the present condition of the state treasury I think a much less sum should be made to suffice."

3 Jan. '07, p.15

- f **N. C. Glenn.** ". . . I recommend an increase in the annual appropriation [for the University of North Carolina]; also, enough to erect a suitable medical building. . ."

9 Jan. '07, p.29

- g **S. C. Heyward.** "It seems desirable to me that all the salaries paid to full professors at our various state institutions of learning should be the same. . ."

8 Jan. '07, p.9

- h **S. D. Crawford.** ". . . In practice there are no sufficiently clear and well defined limits as to the scope within which a given educational institution is confined to its work. As a result, there is a growing tendency to overlap and to work at cross-purposes; a constant temptation on the part of one to enlarge its plan so as to receive students, who more properly belong to the other. . ."

I am looking at the matter with perfect impartiality and with a desire to be just and fair to each institution, and I submit that it will be better for each and all of them to have their several courses of study and lines of work so clearly defined, that each will perform its functions in the most acceptable manner to the state without overlapping the work of another, and that they be held strictly to the channels, and the expenditure of public funds in their aid be kept strictly within the limits, prescribed by law. Great care, of course, should be used in fixing these limits so as not to impair the usefulness of each, but they should be made clear and specific and when made, should be strictly adhered to."

8 Jan. '07, p.5-6

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- i **Tenn.** Patterson. "I recommend as liberal a policy as is consistent with our resources toward our State University. . ."  
7 Jan. '07, p.7
- j **U.** Cutler. Asks that the State University and the Agricultural College be placed under a single board and that a single appropriation be made for both schools. 15 Jan. '07, p.48-49

2333

*Finance. Lands. Support*

*See also 774, Public lands; 2237, School finance*

- a **Minn.** Johnson. ". . . It is a recognized fact that this institution [State University] has been handicapped somewhat by reason of financial policies which have hitherto made it impossible to pay adequate salaries by which men of recognized ability could be employed and retained in the institution, and from time to time we suffer the loss of some of our best teachers by reason of the inability to properly and adequately compensate them. Certainly Minnesota can afford to pay reasonable compensation for this class of service, and to provide means by which we can compete with any educational institution in the country in bidding for talent which would permanently endow our university. . ."  
9 Jan. '07, p.35-36
- b **Mo.** Folk. "During the past two years the collateral inheritance tax has amounted to \$518,365.01. This is for the benefit of the State University, and is made available by legislative appropriation. The income from this tax varies greatly from year to year, and as a consequence the university can not count definitely on any fixed sum from it. It would be a better plan to have this tax diverted into the revenue fund and a regular appropriation made for the university from the revenue fund."  
2 Jan. '07, p.4
- c **Wash.** Mead. "I invite your attention to that portion of the report of the State Tax Commission which deals with the lands of the State University not included in the so called granted lands. This property should be so handled as to make it available as a security asset, that the state at large thereby may be relieved in some measure from the burden of taxation now made imperative by the needs of the university. I recommend that you enact such legislation as will facilitate this object."

14 Jan. '07, p.38

2334

*Instruction. Students*

- a **N.D.** Sarles. "I believe the preparatory and normal departments of our State University should be discontinued, and the university be purely as the name implies."  
9 Jan. '07, p.11

2335

*Admission. Scholarship. Tuition*

- a **Col.** Buchtel. ". . . The total income of the state for the biennial period is \$1,600,000. Of that sum we provide \$700,000 for

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the four state educational institutions in four towns. The question is, how can we increase the revenue of these institutions, without neglecting the urgent and absolutely necessary needs of the penal, the reformatory and the benevolent institutions of the state? We can not do it by increasing the taxes. The taxpayer has a right to object, and he does object. The only way out of our difficulty is to make some reasonable charge for tuition in these institutions. . . ."

8 Jan. '07, p.25-29

- b **W. Va.** Dawson. ". . . I think students in the schools of law, medicine, music and the like [in the State University], should be required to pay substantial fees in order that these departments may be made more thorough. It is not right to hold out an inducement to young men that they can obtain a good education in law at the university unless the course there is reasonably thorough. . . ."

8 Jan. '07, p.98-99

2342

### Professional and technical education

For examination and licensing *see* 591, Practice of law; 944, Medicine. *See also* 2266, Normal schools

- a **Ga.** Smith. Recommends that several technical and industrial schools located in various parts of the state be not under control of trustees of State University at Athens. 29 June '07, p.20-21
- b **N. C.** Glenn. ". . . At present the College [of Agriculture and Mechanic Arts] is under the directorship of the Trustees of the Board of Agriculture, who must be farmers. . . . They are not mechanics, engineers, etc., and therefore can not know the needs of such industries like men trained to such work. I therefore, after consulting with the trustees, and with their approval, recommend that the control of the college be given to a board of trustees consisting of 20 members, with the Governor ex officio chairman of the board—10 of said trustees being the Directors of the Board of Agriculture, and the other 10 appointed by the Governor and confirmed by the Senate, and who shall be good moral persons, and interested in mechanical and industrial education. At present there is no room in the dormitories, and 100 boys board in the community. To properly equip the college a central heating and lighting plant is an absolute necessity, and will, in saving of fuel and employees, reduce current expenses. A mechanical building is also needed to do efficient work. . . ."
- 9 Jan. '07, p.30
- c **Tex.** Campbell. Teaching of the elements of agriculture and the industrial arts in the schools. 16 Jan. '07, p.14
- d **U. S.** Roosevelt. ". . . Our federal form of government, so fruitful of advantage to our people in certain ways, in other ways undoubtedly limits our national effectiveness. It is not possible, for instance, for the national government to take the lead in technical industrial education, to see that the public school sys-

tem of this country develops on all its technical, industrial, scientific, and commercial sides. This must be left primarily to the several states. . . We can, however, in such a matter as industrial training, in such a matter as child labor and factory laws, set an example to the states by enacting the most advanced legislation that can wisely be enacted for the District of Columbia."

3 Dec. '06, p.25-26

2343

**Agricultural**

*See also* 1828, Agricultural experiment stations; 1829, Farmers institutes, reading courses, lectures.

- a **Cal.** Pardee. "The university farm at Davisville and the Kearney gift at Fresno should both receive the support of the state. Neither is unnecessary for uses to which they both may be put in the practical teaching of agriculture and all the industries connected with it, such as pomology, viticulture, dairying, and live stock raising, all so necessary to the state's prosperity. To properly equip these two farms will require the erection of suitable buildings on each, the acquiring of machinery, tools, stock, and equipments of various kinds, as well as the employment of instructors, mechanics, and laborers. All this should be done intelligently, liberally, and well. I therefore recommend to the Legislature the appropriation of at least \$400,000 for these purposes. . ."
- 7 Jan. '07
- b **Ct.** Woodruff. ". . . I recommend that this General Assembly authorize the Governor to appoint a special commission of five members to consider the problem of unifying, coordinating, and collecting the various agricultural forces of the state's related agrarian establishments and commissions; such investigating commission to ascertain what is being done in other states along the same lines, also the experience gained in other commonwealths and by what methods, and the degree of success attending such experiences. Such commission should serve without pay, but its necessary expenses should be met upon order of the Comptroller from funds not otherwise appropriated. A report of the commission's findings and a recommendation of what is advisable should be made to the next General Assembly. I recommend also that this General Assembly make no appropriation for the Connecticut Agricultural School for any purpose whatever except fixed charges made necessary by the operation of the school during the next two years, all appropriations for proposed improvements to wait for the report of the proposed investigating commission. . ."
- 20 Mar. '07, H. J. p.735-38
- c **Ga.** Smith. "Into the rural schools must be introduced nature study and primary agriculture. This work to be successfully conducted must receive aid from the state, first, by adding agricultural departments to every normal school in the state in which the future teacher may be taught how to teach primary agriculture, and then directions in the shape of leaflets and pamphlets must



## EDUCATION

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issue from the State College of Agriculture, and be distributed among the rural school teachers. . ." 29 June '07, p.24

- d Ia. Cummins. ". . . There are certain fundamental truths in the science of agriculture, of constant application in farming, that can be taught with a fair degree of success by written communication. There are a great many of our boys who can not attend personally upon the courses of instruction given at the college. There are a great many men of mature age who ought to know these things, but who can not leave their work and enroll themselves as students. I believe that a bureau of communication ought to be attached to the Department of Agriculture so as to give these boys and these men an opportunity to learn the common principles of their avocation. . ." 14 Jan. '07, p.10-11

- e Kan. Hoch. ". . . Wisconsin, Nebraska, Missouri, and perhaps other agricultural states, have made the teaching of elementary agriculture and horticulture a part of their common school curriculum. Many of our educators think that Kansas should follow this excellent example, and I heartily agree with them. . . Scientific farming is to be the farming of the future, the rudiments of which, at least, our boys and girls should learn in the common schools." 8 Jan. '07, p.18-19

2344

### *Colleges*

- a Cal. Pardee. ". . . Only California Hall, among the many buildings erected by legislative appropriation, is now worthy of this great state and that great University [of California]. One of the first buildings erected at Berkeley ought to be a building in which to house the College of Agriculture. California's wealth, prosperity, and fame rest largely upon her agricultural and allied interests. And these are important enough to warrant us in adding . . . a great and necessary building at Berkeley devoted to agriculture and all that goes with it. I therefore recommend to the Legislature that the sum of \$500,000 be appropriated for the erection of a proper agricultural building at Berkeley." 7 Jan. '07

2347

### **Forestry**

- a Col. Buchtel. "We very much need to have an appropriation for a professor of forestry at the State Agricultural College. He should teach at the college only two or three weeks in the year and then should visit all the state and all the independent institutions and all high schools and all cities and towns to awaken enthusiasm about the preservation of our forests and about the cultivation of trees. . ." 8 Jan. '07, p.28

2350

### **Technical and manual training**

- a Ga. Smith. ". . . Education from books alone is not always of much value. It should be accompanied with practical training, having in view the future of the child." 29 June '07, p.18

2350

- b Wis. Davidson. ". . . The establishment of such a trade school at Milwaukee would call for but a comparatively small expenditure on the part of the state, while its benefits to the public would be inestimable. . ."

10 Jan. '07, p.38-39

2351

### Textile

- a Ark. Little. ". . . If we would profit by our natural advantages and receive the greatest profit we must manufacture our cotton at home. Then and not until then can we control the markets of the world in cotton and cotton goods and receive the full rewards for our labor, which will not only upbuild our country but enrich our people. I earnestly recommend the establishment of a textile school, and that provision be made not only for the technical training but its practical application. . ."

18 Jan. '07, p.6-7

2352

### Libraries

2354

### State libraries

- a Ct. Woodruff. "You will . . . receive from the special commission on the state library proposition a report in favor of such a building and with it a reasonable and sound argument. The library needs more room for books, for records and for the state's paintings. Scattered all through the recesses of the Capitol and even under the eaves are stored records of the Revolutionary War. These must be safeguarded for their loss would be irreparable.

Such a building would house the Supreme Court with becoming dignity and save the judges from the annoyance of wandering from city to city to hold court.

I would recommend that the General Assembly make an appropriation sufficient to carry out the plans of the commission. . ."

9 Jan. '07, p.19

- b Del. Lea. "The State Library, containing thousands of valuable volumes, many of which could be duplicated only at great cost to the state, is housed in a structure ill adapted to the proper protection and care of said volumes. . . It is a matter for your serious consideration whether the time has not arrived for the construction of a new State House, with a fireproof wing for the library, which shall be adequate to fully meet the public needs. I recommend this matter to your careful consideration."

1 Jan. '07, p.10-11

- c Ind. Hanly. "An act approved March 11, 1895, constituting the State Board of Education a state library board . . . and an act approved February 24, 1899, creating a public library commission . . . should both be repealed, and a new statute enacted creating a state library commission. . . Such an act will unite the library interests of the state, place them under the control and management of a single board, and make greatly for efficiency of service in both departments."

10 Jan. '07, p.38-39

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d **Mon. Toole.** "The historical and miscellaneous department of the State Library continues to grow in magnitude and importance, but its full fruition will never be realized until it and the museum are properly housed in a separate building erected exclusively for that purpose upon the Capitol grounds. We will have done our duty for the present, considering our financial ability, if we make provision for its immediate needs, embodied in the following requisition: The furnishing and completion of the vaults in the subbasement in metal. Shelving for room across the hall for overflow of books from main stock room. Publication of a book catalogue. Publication of volume VII in 1907. Employment of another trained assistant. Appropriation for purchase of books. Insurance in the amount of \$30,000." 8 Jan. '07, p.34

e **N. H. Floyd.** "In 1904 the cost of the State Library was \$24,922, and in 1905 it was \$22,462, and in 1906 it was \$19,517, an average of \$22,310 annually, and I think some saving can be effected here without impairing the usefulness of the building or its contents. I am told that there are in the building thousands of volumes of reports and other documents, many of which are copies of each other, and which have never been opened and never will be, but represent considerable expense for storage, shelving, binding and cataloguing. If so, they should be sent to the junk heap to make room for books that are valuable for something besides swelling the size of the catalogues, and I am confident that there are other reductions of expense which should be made. I suggest that you make inquiry how this may be done." 3 Jan. '07, p.16-17

f **S. D. Elrod.** ". . . I believe the time has come when the state should make a small annual appropriation for the purchase of necessary reference books for this [state] library." 8 Jan. '07, p.37

2356

## Free public libraries

2357

### State aid and supervision. Traveling libraries

a **Mich. Warner.** ". . . The traveling library system and the work done by the Board of Library Commissioners in the interest of the small towns and villages and the rural districts of the state, should meet with your support. During the past year 500 traveling libraries have been circulating in the state, with a circulation of 80,000, about one twentieth of the population. This fact alone is sufficient to prove the excellence of the plan for the diffusion of good literature. . . I recommend a reasonable appropriation for its present needs and future development." 3 Jan. '07, p.8

2363

## History. Records. Memorials

a **S. D. Elrod.** "This Department [of history] has charge of the State Historical Society, the State Census, the Vital Statistics and

the State Library and has recently opened a division of legislative reference. . . I think the Legislature should make provision for additional help in the department. . . "

8 Jan. '07, p.37

2365

**Archives. Records. Colonial laws**

- a **Id. Gooding.** "For several years an organization of Idaho pioneers has been in existence, and a great deal of valuable data and many interesting relics have been collected, relative to the early history of the state. The continuance of this important work can not be expected of a pure voluntary organization. . . I would respectfully suggest that a small appropriation be made for this purpose. . . "

8 Jan. '07, p.28

- b **Wash. Mead.** ". . . Our public archives, which are the records of the political and industrial growth of the state, merit your earnest attention. Many of these records already have been lost or have gone to enrich private collections, while a great number are now liable to loss or to remain valueless to public officials and to students of history for lack of systematic arrangement, proper cataloguing and indexing. The recent growth of the state has caused a great accumulation of new records, which, when they cease to be of current use, are carelessly stowed away in some corner. I, therefore, recommend the creation of a department of archives to care for the earlier records and their proper arrangement, to the end that they may always be available. . . "

14 Jan. '07, p.4-5

2366

**Historical societies**

- a **U. Cutler.** A suitable building for the State Historical Society.

15 Jan. '07, p.39

2369

**Scenic and historic places**

- a **N. Y. Hughes.** "It is my privilege also to lay before you the public-spirited proposal of the Hon. William Pryor Letchworth to convey to the people of the state of New York 1000 acres of land, approximately, situated in the town of Genesee Falls, Wyoming co., and the town of Portage, Livingston co., upon which Mr Letchworth now resides. He desires to dedicate the land to the purpose of a public park or reservation, subject to his life use and tenancy and his right to make changes and improvements thereon. . . "

2 Jan. '07, p.30

- b **U. Cutler.** "A movement of great importance, in which Utah is particularly interested, has been started for the preservation of ruins, water falls, forests, and other typical scenery in danger of being destroyed in the interest of commercial enterprises. It has been suggested by the promoters of this movement that the various State Legislatures memorialize Congress to pass a measure prohibiting the destruction of certain specified scenery in localities not set aside as national parks. Special mention is

made of Niagara Falls. I believe there could be no objection to each state legislature specifying certain places within the borders of the state, asking that they be included in the general prohibition. I am pleased to be able to state that action has already been taken setting aside and protecting against vandalism the ruins of the cliff dwellers and some other objects of interest in Utah. This fact, it seems to me, should render us willing to assist other states, by our memorials, in securing similar protection for their natural beauties." 15 Jan. '07, p. 44-45

## 2370 Memorials. Monuments

### 2376 Memorials on battlefields. Soldiers monuments

- a **Del.** Lea. ". . . A suitable memorial marking the location of the Delaware troops at Valley Forge during this important period of our nation's history, is an object deserving your careful and favorable consideration." 1 Jan. '07, p.21-22
- b **Ind.** Hanly. "Among the Union soldiers who died in Andersonville prison during the Civil War were 750 from Indiana. . . I recommend an appropriation of \$10,000 for a monument to be erected on the prison site to the memory of the 750 heroic dead who are buried there, and that an act be passed creating a commission, to be appointed by the Governor, of five survivors of the prison, to erect such monument. . ." 10 Jan. '07, p.53-54
- c **W. Va.** Dawson. Monument to the Fourth West Virginia Volunteers at Vicksburg. 8 Jan. '07, p.87-88

## 2377 Memorials to individuals

- a **Ct.** Woodruff. "In appreciation of the great services rendered to the state and to the nation, Connecticut is anxious to do filial duty to the memory of the late United States Senators Joseph R. Hawley and O. H. Platt. . . I recommend that not less than \$50,000 be appropriated for the memorials, and that the matter be referred to a commission, with power to act." 9 Jan. '07, p.18
- b **Minn.** Johnson. Monument to Gen. William Colvill. 9 Jan. '07, p.55
- c **Pa.** Pennypacker. ". . . There ought to be erected a statue to Henry Bouquet at Bushy Run in Westmoreland county to commemorate the most decisive victory of the French and Indian War and another at Kittanning to John Armstrong, a Pennsylvania hero who there defeated the savages in 1756. 1 Jan. '07, p.11
- d **S. C.** Ansel. "While many of the states of this Union have honored themselves by placing in the Hall of Fame, in the Capitol at Washington, D. C., statues of one or two of their honored and eminent sons, who have done noble work for their states and for the Union, South Carolina's place has remained vacant. I respectfully recommend that you give this matter your

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careful attention and give such consideration to the same, that at no distant day the statue of John C. Calhoun may adorn that hall. . . " 15 Jan. '07, p.9-10

e S. D. Elrod. Statue to Arthur C. Mellette, first governor of the state of South Dakota. 8 Jan. '07, p.22-24

f Wash. Mead. "Within the borders of the state are buried the remains of several of our pioneer chief executives. It seems but proper that the state should erect suitable monuments in recognition of their services. . . I recommend the erection of a monument over the grave of Governor Wallace, whose distinguished services not only to the territory but to the nation at large entitle him to this distinction. The body of Marshal F. Moore, who was a distinguished general officer in the Union Army, and who served for several years as Governor of Washington territory, lies in the cemetery at Olympia. His memory likewise is entitled to suitable commemoration." 14 Jan. '07, p.6

g Wy. Brooks. ". . . The report [of the Lewis and Clark Exposition Commission] contains one valuable suggestion which I trust this Legislature will act upon. History records that Lewis and Clark were greatly assisted in their perilous journey by a Shoshone Indian maiden, named Sacajawea. In fact so important was the part played by this now far-famed Indian girl, who showed qualities of heroism and loyalty almost unmatched in the annals of history, that the management of the Lewis and Clark Exposition erected a splendid memorial in her honor on the exposition grounds. In the years to come the name of Sacajawea will be recorded side by side with that of the world-famed Pocahontas. The fact has been established beyond all controversy that Sacajawea is buried on the Shoshone Reservation in the state of Wyoming, and her final resting place is known. The commission recommends that this Legislature use a portion of the unexpended balance of the exposition fund for the purpose of erecting a suitable tablet or monument to mark the last resting place of Sacajawea." 10 Jan. '07, p.24-25

2378

#### War relics

a Ill. Deneen. "I have the honor to state that Mrs John A. Logan, widow of the late Gen. John A. Logan, has offered to tender to the state the war trophies, souvenirs and mementoes received by her late husband during his lifetime, provided the state shall set apart a memorial room, adjoining Memorial Hall and undertake properly to care for and maintain them as an exhibit in connection with Memorial Hall. . . I recommend that the state accept the donation of these historic treasures, as offered, and that an appropriation be made therefor." 9 Jan. '07, p.45

2379

#### War records

a Ia. Cummins. Recommendation renewed for a roster of Iowa soldiers. 14 Jan. '07, p.14

## MILITARY REGULATIONS

2380

### Scientific work. Art

2384

#### Geology. Topography

- a Cal. Pardee. ". . . It is of great importance to the state, and I recommend that this expenditure [\$80,000] be made and that the cooperative topographical work be continued until the entire state shall have been covered." 7 Jan. '07
- b Ill. Deneen. Increased appropriation for the Geological Commission. 9 Jan. '07, p.26-27
- c S. D. Crawford. "Another subject worthy of legislative support is a geological survey of the lignite coal beds in the state west of the river so that the public may know their extent and where they are located; also of the 'Bad Lands.'" 8 Jan. '07, p.42
- d Wash. Mead. "I recommend that you provide for making effective the legislation of 1901 and 1903 regarding a state geologic, topographic and hydrographic survey in cooperation with the United States Geological Department, the sum appropriated to be effective on the condition that the federal authorities expend an equal amount." 14 Jan. '07, p.34

2388

### Military regulations

*See also 2363, History, records, memorials*

2391

### Militia. National guard

- a Fla. Broward. ". . . A full investigation of the needs of the Florida State Troops . . . convinces me that the following legislation is required:
  - 1. Appropriations for annual encampments.
  - 2. Provision for the establishment and construction of a state arsenal and general military headquarters at some central point.
  - 3. That a permanent camp site for the troops be acquired (a commission for the location of such site having been appointed pursuant to an act of the Legislature of 1905).
  - 4. That provision be made for such amendment to the military code as will place the Quartermaster General, or other proper officer of the general staff, on duty continuously at military headquarters, and in charge of the supply departments.
  - 5. That such action be taken as may be necessary to consummate the purchase of the Franklin County Armory, at Apalachicola, appropriation for which was made under an act of the Legislature of 1903.
  - 6. That the policy of gradually acquiring suitable armories in such of the larger cities as are likely to remain permanent posts of the troops be adhered to; and, that only suitable and adequate buildings may be secured, it is recommended that an 'Armory Commission,' composed partly of competent military officers, be

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- appointed, under whose supervision and direction armories shall be built, rented and managed. . ." 2 Apr. '07, p.8-11
- b **Mass. Guild.** ". . . To maintain a proper esprit de corps, as well as to stimulate recruiting, the troops [of the organized militia] should be provided during the present year with a suitable and soldierly full-dress uniform, for which, in compliance with statute, a special appropriation will be required. . ." 3 Jan. '07, p.29
- c **Mon. Toole.** ". . . The report of the Adjutant General satisfies me that if this institution [National Guard] is to be made anything more than a makeshift a new military code should be adopted and his recommendations in the main adopted." 8 Jan. '07, p.38
- d **Nev. Sparks.** "I am not opposed to this state having organized militia, but the reports of four annual inspections made by the United States Army officers, the last two of which are to be found in the report of the Adjutant General of this state for the years 1905-6, determined me to disband the National Guard. . . . The federal law requires that unless the state has not less than 300 'regularly enlisted, organized and uniformed' men, no more military property can be issued to it, and its requirements as to drills, target practice, camps of instruction and practice marches are such that, in my judgment, the young men of this state would not care to comply with. This condition is to be regretted, as Nevada is probably the only state in the Union without a national guard. . . . If the Legislature sees the way clear to give financial aid in reorganizing the militia as required by law, it will not prove detrimental to the state." 21 Jan. '07, p.12-13
- e **N. C. Glenn.** "The guard is ever changing . . . and there ought, therefore, to be some one to look after the supplies furnished each company and see that they are not destroyed or wasted. The military committee, in view of the fact that the government will not pay for their care, urge that each company commander be annually paid \$100, and be required to give bond for the faithful discharge of his duties, to the end that all company property be well preserved and cared for. . ." 9 Jan. '07, p.22
- f **N. D. Burke.** ". . . I . . . recommend such legislation as may be necessary to enable our militia to comply with all of the provisions of said act [of Congress] and to partake of all of its benefits." 9 Jan. '07, p.11
- g **Tenn. Patterson.** ". . . I ask your attention to this with a view of recommending such appropriation as may be proper to have the state guard get the full benefit of government aid. Aside from any possible war in which the United States may be involved, the proper equipment and organization of our state militia should be encouraged as a measure of duty to the protection of life and property in sudden emergencies." 7 Jan. '07, p.4



## MILITARY REGULATIONS

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- h** **U. S. Roosevelt.** ". . . Our regular army is so small that in any great war we should have to trust mainly to volunteers; and in such event these volunteers should already know how to shoot; for if a soldier has the fighting edge, and ability to take care of himself in the open, his efficiency on the line of battle is almost directly proportionate to excellence in marksmanship. We should establish shooting galleries in all the large public and military schools, should maintain national target ranges in different parts of the country, and should in every way encourage the formation of rifle clubs throughout all parts of the land. . ."

3 Dec. '06, p.53

- i** **U. Cutler.** ". . . The National Guard of Utah will necessarily come into comparison with the militia of the other states at future encampments, and it is desirable that as good a showing as possible shall be made. I therefore make the following suggestions: That the salary of the Adjutant General be made at least \$1800 per annum, in order that a man thoroughly competent in military and business matters may be secured who will give all the time necessary to the work. The salary of the assistant adjutant general should, in my opinion, be fixed at \$900 a year, and he should have the rank of colonel. The appropriation for the band should be \$600 per annum. A rifle range should be fitted up by the state for the exclusive use of the guard. . . . Wherever possible, armories should be built, to stop the payment of rental. . . . Provision should be made to have a picked team to represent the state at the annual national shoot at Seagirt. . . . A law should be enacted requiring officers who have charge of government property to give a bond for its safe-keeping; and those to whom the property is issued should indemnify the officers issuing it. . ."

15 Jan. '07, p.31-33

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### Armories

- a** **Cal. Pardee.** ". . . The money now spent in renting armories for our National Guard amounts to a high rate of interest on the money it would cost the state to erect them. I . . . strongly recommend to the Legislature the appropriation of sufficient money for the erection of suitable armory buildings in all the cities in this state where there are two or more companies of state troops. . ."
- b** **Ct. Woodruff.** "Three commissions were appointed by previous General Assemblies to select a site and arrange plans for a State Armory and Arsenal. . . . I urge that the report of the present commission be given careful consideration, and that immediate steps be taken to carry the project to consummation. . ."

7 Jan. '07, p.51

- c** **N.H. Floyd.** Special appropriation for maintenance of the Manchester Armory.

9 Jan. '07, p.18-19

- d** **N.M. Hagerman.** ". . . One of the gravest drawbacks against the maintenance of our military organization is the lack

3 Jan. '07, p.10-11

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of armories. I therefore join in the recommendation of the Adjutant General that the appropriation for armory rents be increased, also that a reasonable appropriation be made enabling him to employ clerical assistance for part of the year. . ."

21 Jan. '07, p.33

- e N. D. Sarles. Recommends that each company of the National Guard be provided with an armory. 9 Jan. '07, p.13-14

- f Wash. Mead. ". . . The construction of armories is primarily a duty of the state government. I recommend that early in your deliberations a measure be enacted that will in effect carry out the legislative intent expressed in the act of 1903. . ."

14 Jan. '07, p.35

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### Encampment

- a S. D. Elrod. ". . . At the beginning of this administration the camp grounds contained 60 acres. Adding the 53 acres which we have purchased as aforesaid, the grounds now contain 113 acres. It is a handsome property, splendidly located. General Englesby recommends that an appropriation of \$30,000 be made for the coming two years. There are a number of improvements and betterments that ought to be made in addition to the necessary expense incident to the maintenance of the guard. I would like to see trees set out around the buildings and along the boundaries of the grounds. They would add very much to the appearance of the landscape. Having a personal knowledge of the property, the surroundings and the conditions, I heartily concur in General Englesby's recommendation." 8 Jan. '07, p.21-22

2398

### Officers and boards

2400

#### *Adjutant general*

- a N. C. Glenn. "The increased duties of the Adjutant General made it absolutely necessary for him to be in Raleigh, and I therefore ordered him to report here for duty, and hope you will require him in the future to live at the capital, and pay him a salary of \$1600. . ."

9 Jan. '07, p.22

2406

### Pensions and relief

2408

#### State pensions and aid

- a Ala. Jelks. ". . . The Legislature can do one of two things: 1st. Change the law [pensions for old soldiers] so as to provide for a traveling pension examiner, who will spend his entire time carefully looking into the proof of the applicants, and who will be uninfluenced by local surroundings. . . 2d. Change the law so as to provide a service pension. . ."
- b Minn. Johnson. ". . . At the last session of the Legislature, a law was enacted providing pensions for certain people who served in the Indian war of 1862. The law carried an appro-

8 Jan. '07, p.1-3

## MILITARY REGULATIONS

priation to provide for the payment of the pensions, but it is found that because of certain restrictions, comparatively few are beneficiaries of the state's bounty. The law should either be repealed or so changed as to make all who are equally deserving able to share alike. As the old law did not carry a standing appropriation action must be taken at this session if the state is to assume a fixed pension policy. If it is determined to continue a state pension policy it should be at least along the lines of that intelligence which would not discriminate against some of the bravest and best defenders who participated in our Indian wars."

9 Jan. '07, p.46

2409

### *Confederate veterans*

- a S. C. Heyward. "It is evidently a manifest desire among the Confederate veterans of South Carolina to have a fixed and permanent place at which their annual reunions shall be held. Columbia, on account of its central location and its excellent railroad facilities, has been suggested as the proper and appropriate place of meeting for these annual occasions. . . Veterans should be respected, and I believe it is only right and proper that the state should make an appropriation for this purpose. In accordance, therefore, with their wishes, and also because I strongly favor the idea, I have the honor to suggest that an appropriation of \$5000 be made. . ."

8 Jan. '07, p.16-17

- b S. C. Ansel. "It is a duty that we owe to ourselves and to our state, that we provide liberal pensions for our needy Confederate veterans—those who, for lack of means, or who by reason of age or infirmity, are not able to provide for themselves. I, therefore, recommend that you make liberal appropriations for these veterans, to be paid to them under such rules and regulations as may be just and proper."

15 Jan. '07, p.8

- c Tenn. Patterson. "I recommend increased appropriations, if necessary, for pensions to indigent and infirm Confederate soldiers and the helpless widows of such who have died, for it is our sacred duty to see that they should not want in their declining years. . ."

7 Jan. '07, p.4

### Preference of veterans

*See 833, Business taxes*

2416

### Soldiers homes

- a Col. McDonald. ". . . There is one recommendation made by the Board of Commissioners in which I can not join very heartily, personally, although in a limited way it would be a good thing, and that is for the erection of dormitories for the maintenance of the families of these veterans. I believe if such a provision is made there should be certain restrictions covering the date of the marriage, and that the law should provide that they

2416

- had been man and wife for a certain period before application is made for admittance to the home, otherwise there would be abuses creeping in which could not be avoided." 3 Jan. '07, p.8-9
- b Ill. Deneen. Recommends appropriation of \$150,000 for erection of cottages for veterans and wives at the Soldiers and Sailors Home at Quincy. 9 Jan. '07, p.9-10
- c Minn. Johnson. Increased appropriations for soldiers homes and homes for mothers, wives and widows of old soldiers. 9 Jan. '07, p.53-54
- d Mon. Toole. "This institution [Soldiers Home] is represented by the Board of Managers to be wholly inadequate in its accommodations for the present number of inmates, without taking into account the probable increase. . . The cost of maintenance has increased on account not only of members cared for but also on account of increased actual living expenses. The managers' recommendations for increased maintenance appears to be reasonable and the erection of a hospital a necessity." 8 Jan. '07, p.28
- e R. I. Higgins. "I recommend the appropriation of \$25,000 for the soldiers home fund and \$12,000 for the soldiers relief fund. . ." 3 Jan. '07, p.16

2417

*Admission*

- a S. D. Crawford. "In the management of the Soldiers Home, complaint is made that men who are habitual drunkards are denied admission. The position of the Commandant is clearly defined in his report. You should examine this subject and either sustain him by legislative provision prescribing a rule in such cases, or by enacting such legislation as may be necessary to make provision for caring for inebriate soldiers in some manner, that will not cause discomfort to the other inmates." 8 Jan. '07, p.8

2418

*Widows and orphans*

- a Tex. Lanham. ". . . A very earnest movement has been made and is now being urged by Confederate organizations, and especially by the United Daughters of the Confederacy, looking to the establishment of a home for the wives and widows of ex-Confederate soldiers and sailors, and a bill having this object in view and making an appropriation therefor was passed by the 29th Legislature at its regular session. It was vetoed by the Governor, because he believed it to be unconstitutional. He did not submit the matter of a constitutional amendment authorizing such legislation at the following special session, for the reason that amendments to the Constitution are to be proposed at biennial sessions as provided for in that instrument. Convinced as I am that public money can not be granted for the purpose indicated, unless authorized by our organic law, I respectfully suggest the propriety of submitting a constitutional amendment con-

## MUNICIPALITIES

2418

ferring upon the Legislature the necessary power to take the proper action." 10 Jan. '07, p.14-15

- b **Tex.** Campbell. Amendment to Constitution authorizing erection of home for wives and widows of Confederate soldiers and sailors. 16 Jan. '07, p.16

2430

## Local government

2432

### Municipalities

- a **Vt.** Proctor. ". . . The powers and privileges of villages should be uniform. If they were thus uniform there would become through the decisions of the courts and otherwise some general understanding of what those powers and privileges are. The law of villages being now largely special for each village is practically private law. . . I recommend that chapter 142 [Vt. Statutes] be so amended, enlarged and improved that it will answer the purposes for the voluntary incorporation of villages, and I also recommend that consideration be given as to the extent steps may be taken to bring existing charters within such general provision." 4 Oct. '06, p.17

2438

### Organization. Powers generally

- a **Ia.** Cummins. "One of the propositions upon which all persons and all parties seem to agree is that the established system of government in our larger cities is hopelessly inefficient. . . My own view is that the representative form of government ought to be preserved. Aldermen should be elected at large, and the city council confined strictly to legislative duties. Power should be concentrated in the mayor, and he should be the responsible administrative head of city affairs. He should appoint the officers who are to administer the law. The protection of civil service should be extended. The compensation of the mayor should be sufficient to call men of the best type and strongest character to the office, and the term be made long enough to enable him to accomplish something. If, however, the term be lengthened, it should be accompanied with the power on the part of the people to remove him from office, through an election called for that purpose upon proper petition." 14 Jan. '07, p.15
- b **N.Y.** Hughes. "It is desirable that independent provision should be made for a suitable revision of the Greater New York charter." 2 Jan. '07, p.29

2442

### Classification of cities

- a **W.Va.** Dawson. ". . . The Legislature should enact a law classifying municipal corporations, providing for their incorporation and the exercise of their power. Such a law would not go unnecessarily into details, but rather prescribe principles, giving to each individual municipality as much liberty as consistent with the general uniformity of plan." 8 Jan. '07, p.87

2473

## Municipal civil service

*See also 2588, Financial officers*

2478

## Tenure of office. Discipline

- a Mo. Folk. ". . . While the people of each locality should have the right to elect their officials, they should also have the right to recall them should they in their public duty forsake the service of the people, or prove incompetent or corrupt. The recall by direct vote of the people could be provided for, but under the Constitution this can not be done here without an amendment of our organic law. . . ." 2 Jan. '07, p.34

2492

## County and township government

Includes provisions relating to the Louisiana parish. *See also specific functions of counties and towns; Roads, Charities, Drainage etc.*

- a W. Va. Dawson. "The present form of county government has not proved a general success. In some counties three commissioners seem to be sufficient to fulfil the conditions; but in the larger and more populous counties, where the public business is of larger volume, three commissioners are not sufficient. The compensation paid is ridiculously low, and prevents securing the services of men of competent business ability in this important office, especially in the larger counties. In a number of counties of the state the volume of public business is large, is very varied in its character, consists of numerous details, and amounts in the course of a year to many thousands of dollars. Properly to handle this business requires men of business training, and such men can not afford to give their time practically for nothing. The conditions among the counties, also, are very dissimilar in our state, so that what is adapted to one of the newer or less developed counties does not suit the conditions in the older and more developed counties. This state of affairs has always made it difficult to pass legislation applicable to all the counties. I know of no way of meeting this condition of affairs except by allowing more elasticity in our laws. . . ." 8 Jan. '07, p.110-11

2498

## New counties. Consolidation. Division

- a N. M. Hagerman. ". . . It is manifestly unwise to create new counties as has sometime been done before there is a sufficient population or enough property to properly support them. The results in such cases are grievous, often resulting in a great degree of lawlessness and disorder, which might have been avoided if the counties had not been prematurely created. The burden of taxation on the individual taxpayer is greatly increased as two sets of county officers, two courthouses and two jails, must be maintained where one set would have been sufficient. The zeal of

2498

the people who desire their home towns to become county seats should not blind them to the burdens they are imposing upon themselves by hasty action without due care and consideration."

21 Jan. '07, p.45-46

- b N. D. Sarles. "I urge the compulsory organization of all unorganized territory in this state. There are many good reasons why this is desirable. All that part of the state west of the Missouri river is rapidly settling, and all school and other advantages permitted in organized counties are not available."

9 Jan. '07, p.9

2501

## Governing bodies

2510

### Salaries. Fees

- a Fla. Broward. ". . . I would . . . strongly urge that you consider the advisability of making the office of county commissioner a salaried and bonded office, graded by the assessed valuation of the county, such salary to be sufficient to secure men of the highest integrity and ability of your counties in this position. In many of the large counties, the business before the Board of County Commissioners is such as to require meetings at least once a week and oftener, and to almost monopolize the time of the chairmen of such boards. You can not get men who have the ability and the other qualifications necessary to discharge these responsible duties for the compensation now provided by law for this office. . . ."

2 Apr. '07, p.60-61

2512

## County civil service

*See also 2588, Financial officers*

2517

### Salaries. Fees

- a N. M. Hagerman. "Much complaint is made in the larger counties of the territory as to the excessive amounts received in salaries and fees by the county treasurers, assessors and sheriffs, and there is a general desire among the people of the territory that this matter be remedied by putting these officials upon a salary basis. I would suggest that if any legislation is enacted in this regard, concerning assessors and treasurers, such legislation be included as a part of the revenue law referred to above, if the same shall be enacted. . . . The salaries of the county officials as fixed under the classification contained in chapter 60 of the laws of 1905 being in some cases manifestly unjust, it would be advisable in amending the law as to the classification to also make new provisions in regard to salaries of officials outside of assessors and treasurers. . . . Care should be taken in the adjustment of salaries, not to reduce them so much as to prevent competent men from accepting important offices, and not to so increase them as to make them rich political prizes."

21 Jan. '07, p.13-15

2550

## Local finance

- a **W. Va.** Dawson. Recommends changes in methods of local finance to secure greater efficiency and economy in handling funds.  
8 Jan. '07, p.106-10

2566

## Taxes

*See also 2577, Tax levy*

2569

## Special assessments

*See also special purposes of assessments: streets, sewers, drains, etc.*

- a **U.** Cutler. "Under the present law, when sidewalk or sewer extension and other improvements are projected, in cities of the first and second class, it is possible for the tax and the lien involved by it, to be based on the estimates furnished by the engineers. It appears that the law should be amended so as to make it possible for the money to be collected only when the contracts are let, or the actual cost determined. . ."  
15 Jan. '07, p.8-9

2575

## Budget. Accounts

- a **Fla.** Broward. ". . . I also recommend that a statute be passed requiring the publication monthly of an itemized statement of all amounts disbursed by the county commissioners. Nothing is so effective to correct abuses which may exist in the conduct of any public office as publicity."  
2 Apr. '07, p.61

2583

## State supervision. Uniform accounts

*See also 55, State examiner; 856, State accounts*

- a **Ala.** Jelks. "The Public Examiners now cover the whole state every 12 months; looking into such matters as effect the state treasury alone. . . The work, however, on state matters, makes it almost impossible for the examiners to go into county matters, if they make the rounds in one year. If you think this work should be diligently pursued as to county funds, you will be compelled to provide some additions to the present force."  
8 Jan. '07, p.17-18
- b **Wash.** Mead. Recommends appointment of State Bank Examiner, with power to examine accounts of county officers and prescribe uniform system of public accounting. 14 Jan. '07, p.13

2588

## Financial officers

2593

## County

- a **Minn.** Johnson. ". . . In several counties of the state the bond furnished by the county auditor is in a sum entirely inadequate to the business going through his office. It is, therefore, considered advisable to increase the minimum of county auditors'



2593

bonds to a sum not less than \$5000. Our statute at the present time makes provision only for the bonding of county commissioners in counties having a population of more than 150,000. It seems to me that some provision should be made to bond all county commissioners and to base the amount of the bond on the assessed valuation of the county, the premium on such bond to be paid by the county. . . . 9 Jan. '07, p.30-31

- b U. Cutler. "It seems advisable that the term of office of county assessors be increased to four years, in order to allow them to become more thoroughly acquainted with the duties of their offices. Also that salaries of assessors in counties from 3d to 15th class inclusive be increased." 15 Jan. '07, p.6

2597

## Debts. Bonds

2599

## Temporary debt

- a Minn. Johnson. ". . . The examinations made disclose the fact that there are several counties in the state that have overdrawn their revenue fund to a considerable extent. . . . These overdrafts represent an accumulation of warrants that have been issued by the county auditor and not paid by the treasurer on account of the lack of funds. . . . It appears that no provision can be made in the present tax levy to take up this floating indebtedness for the reason that the limit of taxation has been imposed in all the counties where this floating indebtedness exists. The fact that this floating indebtedness is so heavy depreciates the negotiability of the auditors' warrants in these counties, and it is safe to say that on account of the conditions existing, the county is obliged to suffer for it. . . . It appears that some legislative provision should be made authorizing the issuance of bonds to cover these floating debts, which will have the effect of placing those counties on a cash basis. . . ." 9 Jan. '07, p.31
- b W. Va. Dawson. ". . . The creation of floating debts by these organizations was always violation of law, but there was no adequate penalty to prevent it, and no officer specially charged with seeing to the enforcement of the law. The new tax laws make the creation of such debts a criminal offense, and a civil liability on the officers who make them; hence when these laws went into effect, these local authorities were compelled to be more careful and investigate the conditions, and thus the light of publicity was thrown in and a state of affairs revealed which was an unpleasant revelation to many taxpayers. But these floating debts should be taken care of—we ought not to think of repudiating them—although much of the indebtedness may be illegal. The Tax Commissioner suggests that these local governments having debts which were contracted prior to the enactment of the new laws, be allowed to levy not exceeding 5 cents on the hundred dollars in addition to the ordinary levy, such levy to be applied

to the payment of these debts. In addition, I suggest that an act be passed concerning the issuing of bonds for the payment of these debts, applicable to all counties and municipal corporations."

8 Jan. '07, p.112-13

2603

## Fire department

*See also 1092, Fires*

2612

## Officers

*See also 1093, Fire marshal*

2616

## Pensions. Relief

- a N. C. Glenn. ". . . The State Firemen's Association, in view of the valuable services its members render insurance companies by protecting the property they have insured, ask that a reasonable per cent be collected on all premiums and paid the Firemen's Association, in order to furnish a fund for aiding those injured, or the widows and children of those killed while in the line of their duty as firemen and to better equip and make fire companies more efficient. To me the request seems reasonable. . ."

9 Jan. '07, p.14

2620

## Public works. Public improvements

2627

## Municipal utilities (general)

*See also 1337, Street railways*

- a Ala. Comer. "Express, telephone, telegraph and all other public service corporations should be put under state control. I suggest that you enact statutes placing them under the control of the Railroad Commission, and having their charges, rules and methods, in relation to public service, subject to the same general laws that you make to establish said relations between the railroads and the railroad commission." 15 Jan. '07, p.12
- b Ct. Woodruff. Special message recommending appointment of a special commission to consider charters and laws relating to public service corporations. 17 June '07
- c N. Y. Hughes. ". . . I . . . recommend that the present Board of Railroad Commissioners and the Commission of Gas and Electricity be abolished and that a new commission be constituted, with powers of regulation and supervision, within constitutional limits, of the corporations now subject to the existing commissions. The commission should have all the powers possessed by the present commissions and such additional powers as may be needed to insure proper management and operation. Its powers should be clearly defined and should embrace the power to act upon its own initiative as well as upon complaint; to pass upon the issue of stocks and bonds; to examine properties, books, and

accounts; to require detailed reports in prescribed form; to prescribe reasonable rates; to require adequate and impartial service; to provide for the safety of employees and for the protection of the public; and generally to direct whatever may be necessary or proper to safeguard the public interests and to secure the fulfilment of the public obligations of the corporations under its supervision. Provision should be made for suitable inspection so that the commission may be advised as to all matters within its purview and be in a position to take action on behalf of the people without the formal institution of proceedings by complainants. A prescribed quorum should be entitled to decide all questions, and any one commissioner should be empowered to make examinations and investigations, and the proceedings and decisions of one, when approved by the board, should stand as its proceedings and decisions.

The corporation guilty of disobedience to its orders, and all officers and other persons responsible for such disobedience, should be visited with appropriate penalties. The commission should also be entitled to institute legal proceedings for the enforcement of its orders and all such proceedings should be expedited by suitable preference in all the courts of the state. The Legislature should thus provide, within its constitutional power, adequate means for the entirely just and impartial regulation of these important public enterprises." 2 Jan. '07, p.15-19

- d N. Y. Hughes. ". . . All the operations of railroad companies in the territory of Greater New York should be under the supervision of one board. And the board that is to have the power to supervise generally these operations should have the power of initiating plans and of making contracts for the construction and operation of new lines. Instead of two boards dealing with different phases of the same problem, there should be one board empowered to deal with it in its entirety. As such a board would exercise important state powers of control and regulation, it should be a state board, and should be composed of men familiar with conditions in the territory affected. In my judgment it would not be advisable to put all these matters under the control either of the present Board of Railroad Commissioners or of the new commission which I have proposed to take its place. The urgent need of an increase in transportation facilities, and the unique conditions existing in Greater New York, justify the creation of a separate board to deal with the entire matter of transportation in that part of the state. I recommend that the Board of Rapid Transit Commissioners be abolished and that a new board be created, to have all the powers now exercised by the Rapid Transit Board, and also to have powers with reference to operations within the territory of Greater New York,—or if deemed advisable, within a wider district embracing the adjoining counties into which certain lines of the surface railroads extend,—

2627

similar to the powers which I have suggested should be conferred upon the new commission for the rest of the state. There would thus be included the regulation of gas and electric corporations. Provision should be made for the retention by the board of estimate and apportionment of the city, of all the powers, including powers of approval, which it now enjoys. The commission proposed for the state generally should have jurisdiction over all traffic between points within the city of New York and points elsewhere in the state. It is believed that in this manner the whole question of transportation, and of gas and electric service, in the territory of Greater New York can be dealt with in an intelligent and efficient manner, and that to the fullest extent possible the just requirements of that great community may be satisfied."

2 Jan. '07, p.19-22

- e **Wis. Davidson.** "The only adequate remedy for excessive charges by public service corporations is the regulation of the rates by public authority. . . It will be noted that it was found expedient by the Legislatures of those states to vest the supervision of gas and electric lighting companies in a commission separate and distinct from the railway commission to which the regulation of street railways is intrusted. The difference in the character of the services rendered by these corporations may suggest the propriety of placing the control and regulation thereof in different bodies. . ."

10 Jan. '07, p.23-24

- f **Wis. Davidson.** "A limit should be placed upon the capitalization of local service corporations, and the issue of stocks and bonds by them should be under the supervision of the state commission charged with regulation of such corporations. . ."

10 Jan. '07, p.24-25

2628

### Franchises (general)

- a **W. Va. Dawson.** ". . . The experience of this state in this matter is like the experience in other states: very valuable franchises have been granted by authorities, especially by city authorities, without nearly adequate compensation to the people. These franchises have been obtained in some instances by fraud, by bribery, and by deception. There is no good reason why the people should give away such valuable property without any return. In many cases no provision was made in the franchises so given away for the regulation of the business authorized by them, but after the franchises were obtained the people found themselves subject to an extortionate monopoly. It would seem that proper legislation on this subject should not be postponed longer. I see no reason why such property should not be sold to the highest bidder, or granted to those who will give the greatest return to the people. No such franchises should be assignable or transferable; this would stop the sale of these properties. No such franchise should be granted to any person or corporation unless

they could produce evidence that they were possessed of or could command the capital necessary to carry out the purposes of the franchise. In the grant of every such franchise there should be provisions, making it clear that the authority granting the same should have the right of regulation, and the right at any time on reasonable notice, to purchase the property of the owner of the franchise by paying a fair price for the physical property. I say the physical property, because under no circumstances ought the county or city be required to pay money for its own franchise, unless it has received money definitely for it, and then only pay back a just part of such money based on the time the franchise has been in use compared with the time when its use will expire; and I would even go further and require that the granting of no such franchise should be consummated until approved by a vote of the people of the territory to whose authority application has been made therefore. . . ."

8 Jan. '07, p.113-14

- b Wis. Davidson. ". . . Since there are franchises in this state which have been granted to public service corporations in perpetuity, or claimed to be such, and also many which have been granted for a very long period of years, the terms of which will operate harshly and oppressively, I recommend the enactment of a law declaring that all franchises heretofore granted to any individual, partnership or corporation, to engage in a public service business in any city in this state, shall terminate on January 1, 1930, unless they shall sooner expire by their own terms, and also declaring that no franchise of such a nature hereafter granted shall be for a longer term than twenty years." 10 Jan. '07, p.22-23

### Municipal ownership (general)

- a Minn. Johnson. "Public ownership of public utilities is fast becoming an accomplished fact in many of the cities and villages of the state. If a city, village or town desires to conduct its public utilities by and for the public, after having so decided by a majority vote, there can be no objection to allowing the municipality to raise the money necessary to purchase and operate in any way it sees fit. Under our present laws it is permitted to bond all the property of the community for this purpose. If, on the other hand, it can find persons who are willing to loan the money upon the property of the public utility desired to operate, pledging only the property of the public utility loaned on, there can be no objection on the part of owners of other and general property. This plan would remove the objection sometimes urged against municipal ownership, that it injures the credit of a city or village and that it is not fair to tax nonusers of these utilities for the benefit of the users. This expression of an advanced public opinion is found in our neighboring state of Illinois in the enactment of the so called Mueller law, which has been sustained in the

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courts, and applies in that state to the acquisition by municipalities of street railway properties. The idea is just and correct and its enactment in this state would undoubtedly have the effect of regulating in no small measure our privately owned public utilities, if not in acquiring them for the public use." 9 Jan. '07, p.47

- b Mo. Folk. ". . . They [municipalities] should have the right to own and control their own public utilities. As to whether they should take advantage of the authority so given or not would be for the people of the municipalities to determine under the facts of each particular case. I recommend that the people of each city and town in this state be authorized to purchase or own and operate any utility of a public nature whenever they shall vote to do so and to issue bonds in payment thereof." 2 Jan. '07, p.24

- c Wis. Davidson. "There is a growing sentiment in favor of municipal ownership and encouragement should be extended in this direction, especially with respect to water works and gas and lighting plants. I recommend the necessary legislation to enable any city or village to establish public utilities, or to acquire such as may already exist under the power of eminent domain, and to pay for the same out of the proceeds of certificates of indebtedness, which may be made a lien on the property so acquired. In the purchase of such utilities by the municipality, it should not be required to pay an exorbitant sum for the franchises where the same have been granted without consideration. . ." 10 Jan. '07, p.25-26

2630

#### Rates. Charges

- a Mo. Folk. "The necessary laws should be enacted giving the municipalities of the state full power to regulate tolls, charges and rates for gas, electric lights, telephone and other public utilities within such cities, and compelling the interchange of telephone service and fixing and regulating the charges thereof."

2 Jan. '07, p.24

- b Mo. Folk. ". . . Railroad rates, both passenger and freight, have been put upon a reasonable basis—that is, laws have been passed to that end—but there is no check to the rates now charged by other public utility corporations except the benevolence of the operators of such corporations. . . As to how these rates should be regulated, there is a difference of opinion. Some advocate a state commission, with full power to fix rates and enforce its orders as the proper solution. On the other hand, it is insisted that a commission having jurisdiction over the rates of so many millions of dollars of corporate wealth might abuse its powers. While I do not think this evil would result from a commission, and would sign a proper bill along that line, I believe the better plan is to allow each municipality to regulate the rates of public utility corporations operating in such municipality. The act enabling municipalities to do this should define the limits of the power, as the Constitution defines the limits of the legislative

## MUNICIPAL UTILITIES

2630

power of the state. The rates fixed should be upon the basis of the actual value of the property and should afford a reasonable return upon such valuation. . . . The result of giving municipalities the right to fix reasonable rates based upon the actual amount invested or the actual value of the property should be to eliminate these fictitious values and to squeeze out the water from the stock. In order that the rates be not changed too frequently, resulting in disturbances of business conditions, the rates should not be permitted to be altered oftener than each 12 months." 9 Apr. '07, p.6-8

- c Wis. Davidson. "Public service corporations are entitled to secure a fair profit upon the actual cost of their properties, and no more. . . . Specific authority should be granted to the state commission to ascertain and determine the true cost of such properties, and to use this determination to aid in fixing a fair and just rate of compensation for services rendered." 10 Jan. '07, p.24

2633

### Electricity. Gas

- a Mass. Guild. "Members of the Harbor and Land Commission, like members of the Railroad Commission and of similar commissions, are permitted to engage in other occupations neither directly nor indirectly connected with their official work. I recommend the repeal of chapter 503, acts of 1894,—a piece of special legislation, by which this privilege, so great an aid in the securing of competent and efficient men to serve on commissions of a judicial character which do not necessarily occupy the whole of the time of their members, was taken from the Gas and Electric Light Commission." 3 Jan. '07, p.28

2661

### Sewerage. Garbage

*See also* 1079, Pollution of water; 1192 Drainage

- a Fla. Broward. ". . . The State Board of Health should be empowered to require all plans or methods and systems of sewage disposal and water supply to be submitted to them for their expert investigation and approval, and no system should be installed or operated which does not meet the requirement of such rules and regulations as may be prescribed by them. And the services of an expert sanitary engineer, who should visit the localities proposing such improvements, and make thorough examination into the sources of water supply and such other investigation as may aid in determining the advisability and safety to health of the adoption of the proposed water or sewerage system. . . ." 2 Apr. '07, p.35

2679

### Parks. Public grounds

- a N. J. Stokes. "The acquisition in fee of the fresh-water lakes and ponds by the state is desirable as a matter of public policy. Many of them are now owned by private parties or by clubs for the exclusive use of their owners. . . . The gradual acquisition by

the state of lakes of over 100 acres in extent, especially in those sections that have become summer playgrounds, should appeal to those who have the interest of our commonwealth at heart. . ."

8 Jan. '07, p.35-36

2700

## Roads. Streets

- a **Ala. Jelks.** "Our dirt roads, with a few exceptions, are a disgrace to the state. We all recognize that. How they may be improved will challenge your attention. I have no suggestions or advice to offer except to say that any legislation that will advance this cause in a single county in the state will be eminently worth your while." 8 Jan. '07, p.15
- b **Ala. Comer.** ". . . We should encourage the counties of the state to maintain their public roads in the highest state of efficiency, and I recommend you to enact such statutes as may be necessary to carry this out." 15 Jan. '07, p.23
- c **Col. Buchtel.** ". . . We have gone on too long without any definite plan for making good roads. One of the glories of this 16th General Assembly will doubtless be the enactment of a good roads law. . . ." 8 Jan. '07, p.29
- d **Me. Cobb.** ". . . It is no longer necessary to argue the advantages and opportunities that would accrue to Maine by a system of better roads. . . The amount of money to be spent, and how it shall be raised and apportioned by and between the state and the municipalities, the location of the work and how and by whom it shall be done, these are the phases of this subject that invite your attention at this time. In order to facilitate your labors along these lines, a bill has been tentatively prepared by the Highway Commissioner embodying, it is believed, the best methods practised in other states." 3 Jan. '07, p.9-10
- e **N.C. Glenn.** ". . . A general up to date road law should be enacted, allowing any county or community to have the question of a bond issue for the improvement of roads submitted to the people; for the present law is not full or complete enough. . . ." 9 Jan. '07, p.24
- f **S.C. Ansel.** ". . . Many of the counties of this state are now engaged in the laudable undertaking of building good roads and others are beginning to prepare for grading and macadamizing their principal roads. When we contemplate the great good that is done to the greatest number of our people by this work, and the benefits to be derived therefrom, it behooves us to encourage, in every way possible, our people to go forward with this undertaking. I, therefore, recommend that you request our Senators and Members of Congress to urge the passage of such an act as will give to our state a liberal appropriation in money for the carrying on of this work. This money, supplemented with our convict labor, would soon give us good roads in every county in the state." 15 Jan. '07, p.8-9



## ROADS

2700

- g S. D. Elrod.** "South Dakota needs better roads. A permanent and uniform plan should be adopted; a supervisor of roads having the qualifications of an engineer should be appointed by the county, the supervisor to have charge of all the highways in his county and have authority to let all road work by contract. All road taxes should be paid in cash. After the road work has been performed by a contractor, it should be inspected by the county supervisor and certified to the county commissioners for payment. Great care should be exercised in framing the bill to avoid increased taxes." 8 Jan. '07, p.41

- h Tenn. Patterson.** ". . . I recommend, unless the Legislature has a definite plan of road improvement formulated, that I be given the power to appoint a commission of three, to be known as the Good Roads Commission, who will be authorized to take up the whole subject, make a thorough investigation and report their conclusion to this or a subsequent Legislature. . . It is the important duty of the Legislature to take the subject of good roads up for early consideration, for it is only through it that the people can get relief, and the demand for some sensible and businesslike system of road construction and maintenance is urgent throughout the state." 7 Jan. '07, p.8-9

Recommendation renewed.

1 Apr. '07 p.3-4

2702

### State road systems and state aid

- a Cal. Pardee.** "California has done but very little toward encouraging the building of good roads. . . The time is ripe for California, toward which are now turned the eyes of all the world, to follow the example of her older and more experienced sister states and the guidance of the still older and more experienced nations of the Old World and do her part toward aiding and encouraging the advancement of good roads.

I invite the careful attention of the Legislature to this important matter, and would recommend that a sufficiently large sum of money be appropriated, to be expended, under the supervision of the State Commissioner of Highways, in cooperating with counties and abutting landowners, in building good roads throughout the state. These state aided good roads should be state selected main arteries, built to state made specifications and state approved surveys. And toward their construction the state can well afford to pay at least one third the cost.

Oiled roads, as I have said, are cheap and good, when properly constructed. . . And for this purpose I recommend the appropriation of at least \$250,000. This sum, in cooperation with counties and individuals, should build at least one thousand miles of good oiled roads in this state. . ." 7 Jan. '07, p.72-73

- b Del. Lea.** ". . . The several counties of the state raise, annually, by taxation for road purposes, a considerable sum of

money which under our present system is spent under the direction of the different officers in the different hundreds. All this money should be expended on the roads in pursuance to a fixed standard of roads adapted to the different localities of the state and under one central authority. The money so raised should be spent in the maintenance of the roads after they have been either originally built or improved along modern scientific lines. Probably one of the best investments the state could make would be the expenditure annually of as much money as its resources will afford in the construction and improvement of good permanent roads. When these are once so built, the cost of maintenance is small compared with what is now expended on our present roads. . . "

1 Jan. '07, p.12-13

- c **Kan. Hoch.** ". . . It is estimated that half a million dollars are annually expended in Kansas upon its roads, but the work is done with so little regard to the science of roadmaking that no adequate results follow. . . I do not like to recommend the creation of new offices, but it does seem to me if this whole road-making business were put in the hands of some competent experts for direction it would be a wise and economic departure from present methods of roadmaking."

8 Jan. '07, p.26

- d **Mich. Warner.** ". . . It will be observed that the legislative appropriations for aid, together with the amount of license fees credited to the fund, amounted to but \$78,156.98, whereas the total of sums paid and pending is \$138,908. It is obvious that the [good roads] law should be amended so as to provide a continuing appropriation for this purpose if the work is to be further prosecuted. It is not good policy to permit a fixed appropriation for a specific year to be exceeded, but the nature of this work is such that this unsatisfactory condition of affairs can not very well be avoided if fixed annual appropriations are to be made. . . "

3 Jan. '07, p.11-12

- e **Minn. Johnson.** ". . . The Legislature is now authorized to add to the state road and bridge fund by providing in its discretion an annual tax levy upon the property of the state not to exceed in any year one twentieth of one mill on all the taxable property in the state. This limitation should be removed and the Legislature should be permitted at its discretion to levy a tax sufficient to accomplish good results along the line of better highways. The provision now in the constitution that no county shall receive in any year more than 3% or less than one half of 1% of the total fund thus provided should also be changed by striking out that portion of it which provides that a county shall not receive not less than a certain amount. All of the legislative restrictions should be removed with the exception of a possible restriction providing maximum amounts. . . " 9 Jan. '07, p.43-44

- f **Mo. Folk.** ". . . I believe the first step towards good roads is a state highway engineer, skilled in the ways of road building,

whose duty it would be to oversee the construction of roads throughout the state. In my opinion, the only satisfactory solution of the road question is to put the road system of the state on the same basis as the public school system, with a state superintendent or engineer, county superintendents, and running into the township, and districts, as in the case of schools, with taxes levied and paid in the same manner. To accomplish this it will be necessary to have a constitutional amendment. In the meantime a state road engineer can be provided for, and an annual tax of one fifteenth of 1% on the capital stock of each corporation of the state can create a fund on which to operate. It is estimated that this would bring in something like \$700,000 a year, without weighing very heavily upon the corporations taxed. This subject, however, I will refer to later on. In addition to the income from this tax, I recommend that \$500,000 be put into the road fund from the general revenue fund, as the special tax spoken of will not be available for some time. I also recommend a provision that when a road is built in any township and approved by the State Road Engineer, that the township or district pay 20% of its cost, the county 20%, and the state 60%. In this way we can soon have splendid highways from one end of the state to the other. . . ."

2 Jan. '07, p.20-21

- g **Neb.** Sheldon. Ways and means of expending United States forest reserve fund for benefit of public schools and public roads.

28 Jan. '07

- h **N.M.** Hagerman. ". . . According to the provisions of the law of 1905 it was mandatory upon the prison management to build to the line of the forest reserve on the west, and then to the line of the forest reserve on the east, after which it was required that the road from Raton to the state line be constructed. Owing to the fact that the Santa Fé-Las Vegas Scenic Route, especially those portions of it the building of which has been authorized is of very difficult construction, the total mileage built with the number of convicts available has not been great. That which has been built, however, is very well done, and passes through one of the most beautiful sections of our country. The most difficult parts, however, have been completed, and I am of the opinion that it would be wise for the Legislature to provide for its completion through the forest reserve, after the short road from Raton to the state line, as now provided for, shall have been completed, before the construction of any other parts of the Camino Real is inaugurated. . . ."

21 Jan. '07, p.21

- i **Or.** Chamberlain. "The improvement of the highways of Oregon has become a vital and burning question, and the time has arrived when there should be appointed a state engineer, whose duty it should be to supervise the construction of all new and permanent roads. The state could afford to utilize the labor of a certain number of the convicts in the penitentiary for the prepa-

ration of crushed rock necessary for the construction of such highways, and I am sure that quarries could be established at points where arrangements could easily be made with railroad companies to transport the output thereof to points easy of access in those counties which desire to make permanent improvements."

16 Jan. '07, p.38

- j Pa. Pennypacker. ". . . A movement has recently taken shape looking to the making of a great highway by the state connecting Philadelphia and Pittsburg. It is a revival of the undertaking of Gen. John Forbes in 1758 and is well worthy of careful consideration."

1 Jan. '07, p.6-7

- k Pa. Stuart. ". . . We should go on with the good work [improvement of roads] so that every county may appreciate the benefit of it and every township profit by the example. I most heartily recommend the setting aside for this purpose of as large sums of money as the revenues of the state may from time to time permit. I believe it would be a mistake to take the supervision of this important matter from the control of the state; for uniformity, wherever possible, is to be desired, and local indifference or waste should not be invited. . . ."

15 Jan. '07, p.6

- n R. I. Higgins. "I . . . would submit for your consideration . . . the appropriation of such sums regularly as will continue the building of good roads throughout the state."

3 Jan. '07, p.22

- p Vt. Proctor. ". . . I firmly believe that in every way much better and more satisfactory results can be obtained from the expenditure of the state's highway money under more complete and rigid supervision. . . . In the expenditure of this money we should aim at two important results: First, to procure its expenditure in accordance with the best scientific methods, and secondly, to have these sections of permanent road so located that in the end they will form continuous lines of permanent highways. The only way to bring about these results is to provide more supervision for the work. The state commissioner should give his entire time to outlining the work and to its general supervision and should be a salaried officer with reasonable allowance for office and clerical expenses. There should also be a supervisor for each county appointed by the State Highway Commissioner, with the approval of the Governor. The state highway fund should be expended in accordance with plans and specifications laid out by the State Highway Department and under the supervision of the county supervisor, both as to its location and method of expenditure. To further encourage the construction of permanent highways I recommend that any town or city making a special appropriation for permanent highway work should receive an allowance from the state for this purpose. The amount which the state should be called upon to contribute for this purpose in any one town during any one year should of course be limited. . . ."

4 Oct. '06, p.22-25

2702

- q **W. Va.** Dawson. ". . . I give you my best thought as to plan of organization, as follows: A state superintendent of highways, whose work for the next two years would be informing himself of conditions throughout the state, agitating and educating by addresses and distribution of literature, and the study of the subject with the view to report to the Legislature the best plan of procedure; next, a county superintendent of highways, who would have charge of the work in each county under the direction of the State Superintendent; the division of the roads in every county into two classes, county roads and district roads—the county roads would be the leading thoroughfares and be made and kept up by county taxes, and the district roads would be local in their character, and kept up by district taxes; the board of education to be made a board of highways also. County superintendents of highways should have no small power and should be given general superintendence of road matters. I think it essential to establish a good system and organization before any actual money is spent in the building of roads. . ."

8 Jan. '07, p.67-69

2723

**Automobiles and motorcycles**

- a **Del.** Lea. "I recommend that the present [automobile] law be so amended that it provides: 1st. For an annual payment of a license fee of \$5 by the owner of every motor vehicle. 2d. For an annual payment of a license fee of \$2 by chauffeurs. 3d. For the revocation of all licenses, under proper restriction, upon proof that licensee is an incompetent or reckless driver. 4th. For the employment by every person incompetent to run a motor vehicle of a licensed chauffeur. 5th. For the payment of all such license fees, together with all fines and forfeitures imposed under the provisions of this law, to the State Treasurer, who shall carry such funds to a highway improvement fund, to be expended pursuant to a proper highway improvement statute.

Pecuniary penalties have not proven effective in checking reckless and careless driving. Fine and imprisonment has been demonstrated to be the only effective check; fine for the first offense and fine and imprisonment for all subsequent offenses."

1 Jan. '07, p.5-6

- b **Mass.** Guild. ". . . The suction of the automobile tire, for instance, is the cause of exceptional damage to the roads of the commonwealth. I recommend a tax on all motor cars proportionate to horse power, the entire proceeds to be devoted to the maintenance of state highways. I firmly believe that such a tax would alike remove much of the present complaint against this mode of locomotion, and would vastly add to the comfort of all who use the highways for any purpose."

3 Jan. '07, p.12

- c **Mass.** Guild. ". . . I recommend that, as the sailing vessel has the right of way over the steamer on the high seas, so the

2723

horse and pedestrian shall for like cause be given, as the weaker, the right of way over the automobile on crossroad and highway.

I further recommend the establishment of a board of expert examiners for chauffeurs, acting under the Highway Commission. I recommend that no person, owner or chauffeur, without a certificate of examination in reasonable practical tests in motor management, shall be longer permitted to experiment with dangerous engines on the roads of Massachusetts, at the risk of the lives of the citizens of this commonwealth." 3 Jan. '07, p.18-19

- d U. Cutler. "The number of automobiles in use in the state has increased so rapidly during the past two years that it seems opportune for a state law regulating their speed to be enacted. This need is emphasized by the fact that in the recent past a number of fatal accidents with automobiles have occurred, the victims being pedestrians. . . There is in my possession the German law on this subject, which, with some eliminations and amendments, may be adapted to conditions in Utah."

15 Jan. '07, p.40

- e Vt. Bell. ". . . I still believe the suggestion contained in my former message was reasonable and just and that, for a time at least, automobiles should be excluded from the narrow, winding country roads and less frequented thoroughfares."

4 Oct. '06, p.13-14

- f Vt. Proctor. ". . . We may well consider whether for the present automobiles should not be prohibited the use of certain highways, especially some of our narrow hill roads where the passing of a team and automobile is impossible without great danger to the occupants of the team. The present law provides for a nominal registration fee of \$2 for each machine and an annual license fee of \$2 for operators. These together with dealers licenses produced last year \$3398.94. Considering the use which automobiles have of our highways and their size, weight and speed, I think that they should pay an annual fee, adjusted upon some reasonable and fair basis sufficient to produce a more substantial revenue for state highway purposes. There should be some provision by which machines from without the state using our highways should pay a like license fee. . ."

4 Oct. '06, p.25-26

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# Education Department Bulletin

Published fortnightly by the University of the State of New York

Entered as second-class matter June 24, 1908, at the Post Office at Albany, N. Y., under the act of July 16, 1894

No. 435

ALBANY, N. Y.

NOVEMBER 15, 1908

## New York State Library

### Legislation 36

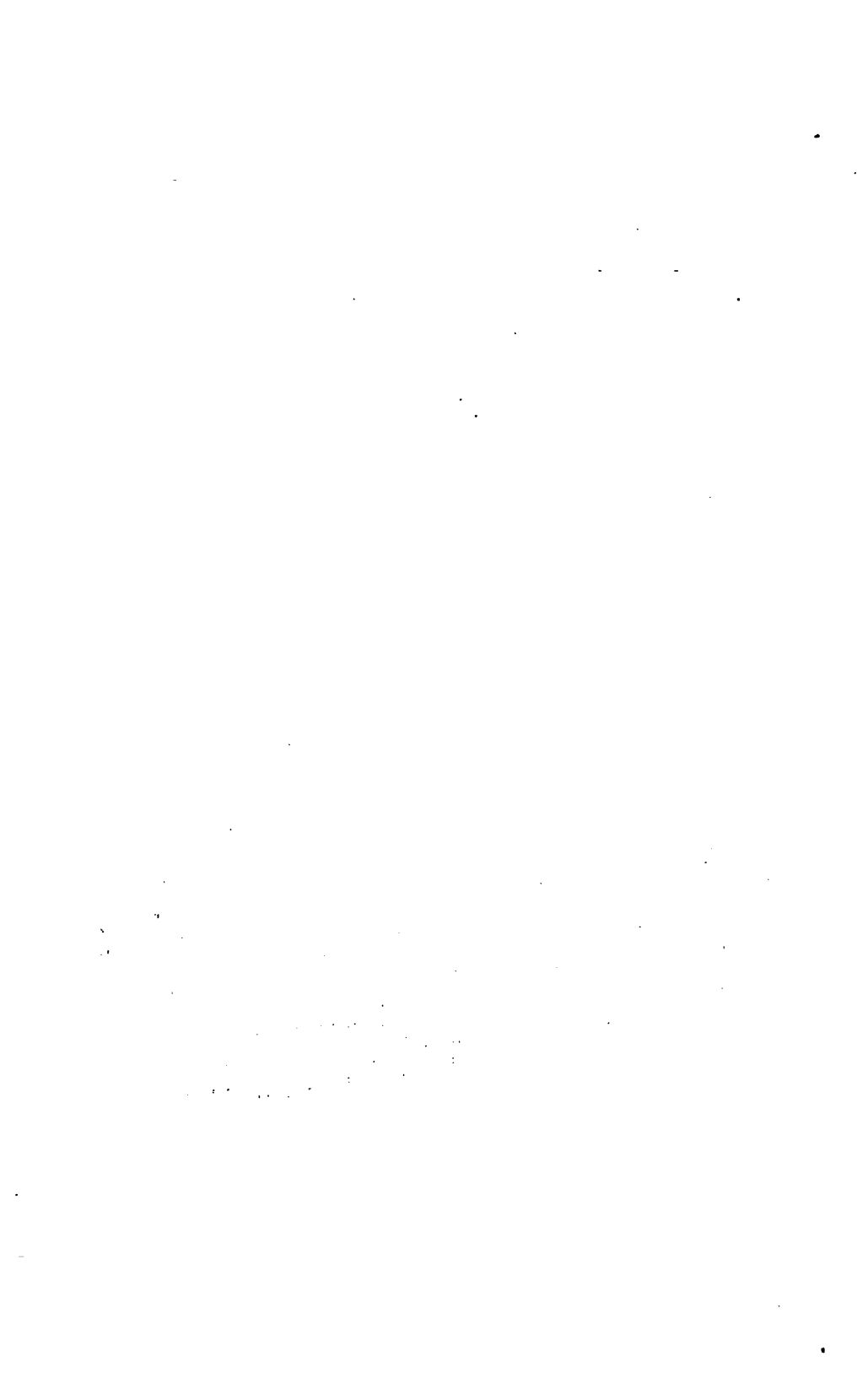
## INDEX OF LEGISLATION 1907

OCTOBER 1, 1906 TO OCTOBER 1, 1907

EDITED BY

Frederick D. Bramhall, *Legislative Reference Librarian*

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*New York State Library, Albany, N. Y., June 2, 1908*

*Hon. A. S. Draper*

*Commissioner of Education*

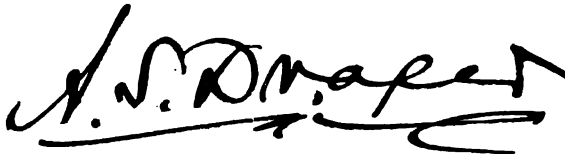
DEAR SIR: I have the honor to transmit herewith and recommend for publication the annual Index of Legislation, the 18th of its series. Forty-one regular and six special sessions were held during the legislative year covered by this bulletin, which was the most prolific in general legislation since the beginning of this series in 1890. The special and local acts of one state could not be included. Of 16,064 acts passed, 7672 are listed or briefly digested in this Index. All general and permanent laws are included, but private, local and temporary laws, except a few of special interest, are omitted. The Index also contains references to 99 statutes that have been declared unconstitutional by state courts during the year, and records the result of the vote on 18 constitutional amendments submitted to the people.

Very respectfully

J. I. WYER, JR  
*Director*

*State of New York*  
**Education Department**  
COMMISSIONER'S ROOM

*Approved for publication this 2d day of June 1908*

A handwritten signature in dark ink, appearing to read 'A. S. Draper', with a long, sweeping horizontal flourish underneath.

*Commissioner of Education*



# Education Department Bulletin

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NOVEMBER 15, 1908

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J. I. WYER, JR, Director

### Legislation 36

## INDEX OF LEGISLATION 1907

OCTOBER 1, 1906 TO OCTOBER 1, 1907

EDITED BY

Frederick D. Bramhall, *Legislative Reference Librarian*

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## PREFATORY

### EXPLANATIONS

These must be carefully read to understand the bulletin.

**Scope.** All general permanent laws are included. Private, local and temporary acts, unless of great general interest, are omitted. Many acts general in form but special in their application are also omitted. Private acts applying to particular persons or granting relief to specific public officers and local acts applying to a single political division or to but a small proportion of the political divisions belonging to the same class are omitted. Important local acts other than amendatory, on subjects of general interest, are included. New city charters are included but amendments thereto are omitted. Constitutional amendments both local and general are included. All general appropriation bills are omitted. Special appropriation acts providing for the establishment of a new institution or making some extraordinary appropriation of great general interest are included. Laws providing for the general management and control of a particular state institution are included but those relating to some detail of its administration are omitted. All laws legalizing acts already performed are omitted. Laws of Congress and of the noncontiguous territories of the United States are omitted.

**Method.** Usually but one entry is made for a law. To ascertain what legislation has been passed concerning a subject it is necessary for the reader to refer also to the more inclusive heads and to observe carefully the cross references. For example, in looking up laws relating to illegal voting, the user, in addition to consulting entries under 155, Illegal voting, must look under 149, Election offenses, and 126, Elections. Laws relating to illegal voting alone are classed under 155, those relating to illegal voting and other offenses under 149, the general head for election offenses and those relating to illegal voting and various other election matters under 126, the general head for elections. In addition the cross reference under 126, Elections, to 2225, School elections, must be observed as illegal voting at school elections would be placed under that head.

The plan is a combination of index and digest. A large portion of the entries simply indicate in the most definite manner practicable the exact subject treated by the law. Many entries, however, digest in a line or two the substance of a law or the exact change made by an amendment. Other entries are a combination of the above forms, partly index, partly digest. The aim always is to convey the greatest amount of information possible within a very limited space. Unimportant laws relating to details of procedure or administration are indexed most briefly.

The exact change made by the amendment is often shown by italics to indicate new matter and by brackets inclosing matter superseded: e. g. salary of Governor \$5000 [~~\$3000~~] means that the Governor's salary has been increased from \$3000 to \$5000.

The title of acts other than amendatory if concise and definite, is given either in full or in part. The title is included in quotation marks and is annotated when necessary. The number of sections contained in each law is given to show its length and complexity.

**Citations.** A citation to the act indexed or summarized is set off at the end of the entry. It contains year, chapter number or page, and day and month of approval or passage. The abbreviation ch. is used for chapter and p. for page: e. g. '05 ch. 94, 5 July; '05 p. 164, 9 May. In all states except Georgia, Alabama, Illinois, Missouri, and Ohio the session laws are numbered consecutively, and references are to chapter.

In North Carolina and Rhode Island where the Governor's approval is not necessary, in a number of states where joint and concurrent resolutions do not require the approval of the Governor

## ABBREVIATIONS

and in the case of bills that become laws by the expiration of time without the signature of the Governor, the date of passage by the Legislature is given. In a few cases the date of passage and approval are both omitted in the session laws, and in these cases the year only is given.

Citations to statutes amended or repealed by the act indexed always begin with the most general part and end with the most specific; e. g. '95 ch. 859 §2; '98 p.78; R. S. '96 t.3 art. 10 §3 ¶4. For abbreviations used in citing compilations of statutes see below.

**Classification.** The classification of the summary is the same as that used in the Digest of Governors Messages and will continue unchanged from year to year, except for insertion of new headings necessitated by new subjects of legislation. The numbers assigned to headings will also remain unchanged so that readers can follow recommendations and laws on any subject by looking under the same marginal number in each bulletin. The numbering corresponds to the consecutive numbering of headings in our card index of legislation 1890 to date. Where there is no legislation this subject number is omitted. The entries under each head are alphabetized by states and each entry is designated by a letter or letters; e.g. b, da.

**Subject index.** This is an alphabetic list of the subjects included. References are to the marginal class and entry numbers.

## ABBREVIATIONS

The usual abbreviations of state and month names are used.

A.	Atlantic Reporter	comn.	commission
agric.	agriculture, agricultural	comr.	commissioner
amdg.	amending	Cong.	Congress
amds.	amends	const.	constitution, consti-
amdt.	amendment		tutional
Ann. L.	Annotated laws	corp.	corporation
Ann. S.	Annotated statutes	Crim. C.	Criminal code
art.	article	Crim. P.	Code of criminal pro-
assmt.	assessment		cedure
atty.	attorney	Crim. S.	Criminal statutes
bd.	board	dept.	department
C.	Code	G. L.	General laws
C. C.	Civil code	G. S.	General statutes
C. C. P.	Code of civil procedure	gen.	general
C. P.	Code of procedure	gov.	governor
C L.	Compiled laws	govt.	government
C. S.	Compiled statutes	incorp.	incorporation
ch.	chapter	legis.	legislative, legislature

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misc.	miscellaneous	rel.	relating, relative
msdr.	misdemeanor	rep.	repealing, repeals
mun.	municipal	rev.	revising, revises
P.	Pacific Reporter	S.	Southern Reporter
P. C.	Political code	S.	Statutes
P. S.	Public statutes	S. E.	Southeastern Reporter
Pen. C.	Penal code	S. W.	Southwestern Reporter
pt.	part	sec.	secretary
r.	resolve	subdiv.	subdivision
R. C.	Revised code	supt.	superintendent
R. C. L.	Revised civil laws	t.	title
R. L.	Revised laws	unconst.	unconstitutional
R. S.	Revised statutes		

# STATISTICS

## STATISTICS OF LEGISLATION OCTOBER 1, 1906 TO OCTOBER 1, 1907

The sessions are biennial in all states and territories except Ga., Mass., N. J., N. Y., R. I. and S. C. where they are annual and Ala. where they are quadrennial. For list of constitutional amendments see marginal nos. 34-36; for list of court decisions declaring statutes unconstitutional see marginal no. 12.

STATES AND TERRITORIES	DATES		Length in days	No. of laws and resolutions	No. of laws and resolutions indexed
	of opening	of closing			
aAlabama.....	8 Jan. '07	7 Aug. '07	85	766	190
Arizona.....	21 Jan. '07	21 Mar. '07	60	115	91
Arkansas.....	14 Jan. '07	14 May '07	120	496	134
California.....	7 Jan. '07	12 Mar. '07	65	659	382
Colorado.....	2 Jan. '07	1 Apr. '07	90	266	153
Connecticut.....	9 Jan. '07	1 Aug. '07	205	782	228
bDelaware (extra).....	31 May '06	14 June '06	15	6	2
Delaware.....	1 Jan. '07	25 Mar. '07	84	282	100
Florida.....	2 Apr. '07	31 May '07	60	298	120
Georgia.....	26 June '07	17 Aug. '07	53	290	35
Idaho.....	7 Jan. '07	8 Mar. '07	61	197	144
Illinois.....	9 Jan. '07	16 May '07	128	270	185
Indiana.....	10 Jan. '07	11 Mar. '07	61	300	243
Iowa.....	14 Jan. '07	9 Apr. '07	86	296	206
Kansas.....	8 Jan. '07	14 Mar. '07	66	444	199
Maine.....	2 Jan. '07	28 Mar. '07	86	693	194
Massachusetts.....	2 Jan. '07	28 June '07	178	726	244
Michigan.....	2 Jan. '07	29 June '07	179	790	206
Minnesota.....	8 Jan. '07	24 Apr. '07	107	483	376
Missouri.....	2 Jan. '07	16 Mar. '07	74	285	226
(extra).....	9 Apr. '07	13 May '07	35		
Montana.....	7 Jan. '07	7 Mar. '07	60	269	192
Nebraska.....	7 Jan. '07	4 Apr. '07	94	206	179
Nevada.....	21 Jan. '07	21 Mar. '07	60	229	119
New Hampshire.....	2 Jan. '07	5 Apr. '07	94	292	113
New Jersey.....	8 Jan. '07	13 Apr. '07	96	298	241
(extra).....	18 June '07	12 Oct. '07	117		
New Mexico.....	21 Jan. '07	21 Mar. '07	60	118	91
New York.....	2 Jan. '07	26 June '07	176	772	279
(extra).....	8 July '07	26 July '07	19		
North Carolina.....	9 Jan. '07	11 Mar. '07	62	572	180
North Dakota.....	8 Jan. '07	8 Mar. '07	60		244
Oregon.....	14 Jan. '07	23 Feb. '07	40	294	173
Pennsylvania.....	1 Jan. '07	16 May '07	135	741	306
Rhode Island.....	1 Jan. '07	23 Apr. '07	112	227	58
South Carolina.....	8 Jan. '07	16 Feb. '07	40	230	55
South Dakota.....	8 Jan. '07	8 Mar. '07	60	251	174
Tennessee.....	5 Jan. '07	15 Apr. '07	101	667	136
cTexas.....	8 Jan. '07	12 Apr. '07	95	250	158
(extra).....	12 Apr. '07	11 May '07	31		
Utah.....	14 Jan. '07	14 Mar. '07	59	177	157
Vermont.....	3 Oct. '06	20 Dec. '06	79	516	218
Washington.....	14 Jan. '07	14 Mar. '07	59	267	200
West Virginia.....	9 Jan. '07	22 Feb. '07	45	119	62
(extra).....	23 Feb. '07	5 Mar. '07	11		
Wisconsin.....	9 Jan. '07	16 July '07	189	724	486
Wyoming.....	8 Jan. '07	16 Feb. '07	40	109	93
				16 064	7 672

A constitutional convention was held in Oklahoma from Nov. 21, 1906 to April 19, 1907.

a The Legislature of Alabama took a recess from Mar. 6 to July 12.

b The acts of the Delaware special session of 1906 were received too late to include in the 1906 Index. They are therefore included in the present bulletin.

c The special laws of Texas were received too late for this bulletin, and will be included in the next Index.

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no.

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- 2575 Budget. Accounts
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- 2600 Deposits and depositories
- 2603 Fire department
- 2620 Public works. Public improvements
- 2627 Municipal utilities (general)
- 2633 Electricity. Gas
- 2648 Water
- 2661 Sewerage. Garbage
- 2678 Public art and improvement
- 2679 Parks. Public grounds
- 2696 Public entertainment
- 2698 Baths, comfort stations and gymnasiums
- 2700 Roads. Streets

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## LAW (GENERAL)

- a **Ari.** Revives R.S.'87 t.60 ch.5, rel. to laws of territory; depositing original acts; when in effect; retroactive; construction; repeals; revivals; common law. 9§ '07 ch.10, 5 Mar.

2

## Statutes

*See also* 85, Overlegislation; 88, Special laws

- a **Nev.** Fixing prices of Nev. reports, C.L. and session laws. 1§ '07 ch.37, 5 Mar.

3

## Preparation of statutes

- a **R. I.** Amdg. G.L. ch.22 §2: laws amended or repealed to be referred to by number and name of ch. and date of passage. 1§ '07 ch.1429, 23 Apr.

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## Time of taking effect

- a **Wis.** Amdg. S.'98 §4975: act to take effect July 1 [20 days] after passage and publication unless otherwise prescribed. 1§ '07 ch.5, 5 Mar.

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## Publication of session laws

- a **Del.** Amdg. R.C. ch.4 §1, 2 rel. to publication and distribution of session laws: 3500 [3200] copies in pamphlet form; 650 [350] bound copies. 2§ '07 ch.14, 14 Mar.
- b **Nev.** Amdg. C.L.'00 §1508: 1600 [800] copies of session laws to be printed; 800 to remain unbound till needed. 1§ '07 ch.192, 29 Mar.
- c **Wash.** Rel. to session laws: enrolled bills to be filed with Sec. of State; chapter numbers; citation; temporary publication; annotations and index; publication, distribution and sale. 6§ '07 ch.136, 12 Mar.
- d **Wis.** Sec. of State, under direction of Supreme Court, to have republished 600 copies of session laws out of print; distribution; sale. Adds S.'98 §339. 1§ '07 ch.475, 9 July

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## Publication in newspaper

- a **Ia.** Amdg. C. §36 rel. to publication of session laws: if newspaper designated in act fail, Sec. of State to designate another. 1§ '07 ch.1, 15 Mar.

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## Distribution

- a **Neb.** Amdg. C.S.'05 §4161-68, rel. to distribution of session laws and journals; distribution by county clerk; by librarian of State Historical Society; by State Librarian; sale at cost. 10§ '07 ch.78, 6 Apr.
- b **Wy.** Amdg. R.S.'99 §443 rel. to distribution of session laws: to U. S. District Judge; to State Librarian for exchange with other state libraries. 1§ '07 ch.5, 1 Feb.

8

*Indexes*

- a **Cal.** Authorizing printing of index of laws of 1850-1907 as prepared by Comr. for Revision and Reform of Laws; distribution same as of statutes. 3§ '07 ch.301, 18 Mar.
- b **Minn.** Amdg. R.L.'05 §2266, 2276: session laws to be indexed by *Sec. of State and Atty. Gen.* [State Printer]. 2§ '07 ch.115, 5 Apr.
- c **Mon.** Session laws to be indexed by State Law Librarian. 3§ '07 ch.161, 7 Mar.
- d **S. D.** Amdg. P.C.§52: in arranging statutes for publication *Sec. of State to prepare index referring to subject-matter of all acts* [authorized to make orthographical and grammatical corrections]. 2§ '07 ch.206, 5 Mar.

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**Codification**

- a **Ala.** Adopting C.'07. 4§ '07 p.499, 27 July
- b **Ala.** Contents, editing, publication and distribution of C. '07. 24§ '07 p.504, 27 July

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**Revision and compilation**

- a **Cal.** Amdg. '95 ch.222 §6, 9: duties of Comn. for Revision and Reform of Law generally; existence extended to Oct. 1, 1911. 3§ '07 ch.234, 15 Mar.
- b **Col.** Providing for compilation of statutes by Sec. of State and comr. appointed by Supreme Court; 5000 copies; distribution; \$2100. 15§ '07 ch.37, 19 Apr.
- c **Id.** Supreme Court to appoint comr. to revise codes; report to next Legis.; \$14,000. 12§ '07 p.178, 12 Mar.
- d **Ia.** Joint legis. committee of 6 to supervise compilation of "Supplement to Code, 1907"; scheme of compilation and publication. 14§ '07 ch.221, 19 Feb.
- e **Mon.** Gov. to appoint comr. to compile and revise codes; 2 years; \$4000 in full; method of compilation; publication; distribution; \$16,000. 16§ '07 ch.85, 4 Mar.
- f **N. M.** Providing for revision of statutes; comn. to consist of Atty. Gen. and 4 designated; \$20,000. 8§ '07 ch.95, 21 Mar.
- g **Pa.** Continuing Comn. to Compile and Publish Laws of Pa. prior to 1800; \$8000. 1§ '07 ch.361, 13 June
- h **Tex.** Gov. to appoint 3 comrs. to revise and digest laws; report next Legis. 5§ '07 ch.180, 30 Apr.
- i **U.** Gov. to appoint comn. of 2 to compile and annotate laws; report present session; details; \$7000. 10§ '07 ch.3, 15 Feb.
- j **Vt.** Creating Comn. to Revise S.; method of revision; publication and distribution; compensation fixed by Gov. 13§ '06 ch.216, 12 Dec.
- k **Wis.** Adopting numbering of sections contained in Sanborn & Sanborn's Supplement to S.'98. Adds S.'98 §4977m. 18 '07 ch.118, 21 May
- m **Wis.** Chairman of revision and judiciary committees of Legis. and Speaker of Assembly to constitute committee to recommend plan for revision of statutes; report to next Legis. '07 p.1294



## UNCONSTITUTIONAL STATUTES

### 12 Statutes declared unconstitutional

By highest court of state or of United States. Entries under this head are duplicated under the specific subject of the law declared unconstitutional.

- a **Ark.** Declaring unconst. '01 ch.161,'05 ch.143 prohibiting issuance to employees of scrip not redeemable in money; coal mine employing less than 20 men underground excepted. Unlawful discrimination; denies equal protection of laws.  
*Union Sawmill Co. v. Felsenthal* 108 S. W. 217 (1908)
- b **Cal.** Declaring unconst. C.C.P. §1194 rel. to mechanics liens so far as it prefers persons performing manual labor to materialmen. Are placed on equality by Const. art.20 §15.  
*Miltimore v. Nofziger Bros. Lumber Co.* 90 P. 114 (1907)
- c **Cal.** Declaring unconst. C.C.P. §1195 providing for allowance of attys'. fees on successfully enforcing mechanics lien. Denies equal protection of laws; special legislation.  
*Builders' Supply Depot v. O'Connor* 88 P. 982 (1907)
- d **Cal.** Declaring unconst. C.C.P. §1991 as far as it provides for striking out defendant's answer on refusal to depose before notary. Deprives of property without due process of law.  
*O'Neill v. Thomas Day Co.* 92 P. 856 (1907)
- e **Cal.** Declaring unconst. '95 ch.218 rel. to redemption from tax sale in so far as retrospective. Makes redemption more difficult.  
*Johnson v. Taylor* 88 P. 903 (1907)
- f **Col.** Declaring unconst. charter of city and county of Denver §182, providing that election contents be tried in county court. Regulation of jurisdiction of state courts is exclusively in Legis. and not within scope of self-framed charter.  
*Williams v. People* 88 P. 463 (1907)
- g **Col.** Declaring unconst. Ann.S.'91 §111,112,114 which authorizes Humane Society to take charge of abandoned or cruelly treated animals. Takes property without due process of law.  
*Jenks v. Stump* 93 P. 17 (1907)
- h **Col.** Declaring unconst. '02 ch.3 as far as imposing higher license fees on foreign corporations already admitted to do business in state, than on domestic corporations. Impairs obligation of contract.  
*American Smelting Co. v. Colorado* 204 U. S. 103 (1907)
- i **Fla.** Declaring unconst. '05 ch.17 in so far as it authorizes commitment to State Reform School by judge of any criminal court. Such judge can commit only after regular conviction.  
*Pugh v. Bowden* 45 S. 499 (1907)
- j **Fla.** Declaring unconst. G.S.'06 §3266 rel. to prosecution for carrying concealed weapons. Does not provide for prosecutor's fee when defendant discharged or insolvent.  
*State ex rel. Loftin v. McMillan* 45 S. 882 (1908)
- k **Ga.** Declaring unconst. P.C. §804, 879 which deny to taxpayer right to hearing as to valuation of property not returned by him. Not due process of law.  
*Central of Georgia Ry. v. Wright* 207 U. S. 127 (1907)

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- n **Ga.** Declaring unconst. '02 p.19 §9 ¶1 requiring express, telegraph and telephone companies to pay 2½% ad valorem tax, or if not equal to 2½% of gross receipts, an occupation tax for balance. Nonuniform taxation. *Wright v. Southern Bell Telephone and Telegraph Co.* 56 S. E. 116 (1906)
- p **Ill.** Declaring unconst. '79 p.164 providing fees for probate court clerks in counties of 3d class. Defective title; exemptions not authorized; unequal and nonuniform taxation. *Cook County v. Fairbank* 78 N. E. 895 (1906)
- q **Ill.** Declaring unconst. '85 p.77 §40½ in so far as it empowers comrs. of drainage district to construct bridges and culverts in public highway of town and collect cost from road and bridge fund. Violative of Const. art.9 §9,10 rel. to taxation of municipalities. *Morgan v. Schusselle* 81 N. E. 814 (1907)
- r **Ill.** Declaring unconst. '03 p.97 §18 which allows appeal from order of fire and police comrs. in city of 7000 to 100,000 to Circuit Court. Violates separation of executive and judiciary. *City of Aurora v. Schoberlein* 82 N. E. 860 (1907)
- s **Ill.** Declaring unconst. '05 p.188 making felony commission of lewd or lascivious act with child. Title defective. *Milne v. People* 79 N. E. 631 (1906)
- t **Ill.** Declaring unconst. '05 p.357 §2 ¶11 exempting funds of fraternal beneficiary societies from taxation. Exemption not authorized by art.9 §1 of Const. *Supreme Lodge M.A.F.O. v. Bd. of Review* 79 N. E. (1906)
- u **Ill.** Declaring unconst. '06 p.436: direct nominations law. Title defective; invalid delegation of legis. power; election not free and equal; violates right to vote cumulatively. *Rouse v. Thompson* 81 N. E. 1109 (1907)
- v **Ind.** Declaring unconst. '99 ch.110 §4 in so far as it requires affidavit of noncollusion and bond to accompany bid for "county work." Subject not expressed in title. *State v. Dorsey* 78 N. E. 843 (1906)
- w **Ind.** Declaring unconst. Burns's Ann.S.'01 §7056-57 which requires corp. or association to pay employee engaged in manual or mechanical labor at least monthly. Violates 14th amdt. of U. S. Const. as imposing burden on corp. or association not imposed on individual. *Toledo, St L. & W. R. Co. v. Long* 82 N. E. 757 (1907)
- wa **Ind.** Declaring unconst. Burns's Ann.S.'01 §7083 providing for liability of railroads and other corporations for injury to employees resulting from negligence of supt., in so far as it relates to "other corporations." Violative of U. S. Const., 14th amdt., as imposing on corp. employers burdens not laid on individuals and partnerships. *Bedford Quarries Co. v. Bough* 80 N. E. 529 (1907)
- wb **Ind.** Declaring unconst. '01 ch.182 fixing beginning of terms of "county clerks" in so far as it affects clerks of Circuit Courts. Latter constitutional designation of office. *Taylor v. State* 80 N. E. 849 (1907)

# UNCONSTITUTIONAL STATUTES

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**wc** **Ia.** Declaring unconst. C. §1322 rel. to taxation of bank shares in so far as it affects govt. bonds. U. S. securities not taxable by state.

Home Savings Bank *v.* City of Des Moines 205 U. S. 503 (1907)

**wd** **Ia.** Declaring unconst. '04 ch.48 imposing county tax on peddlers and transient merchants. Latter not expressed in title.

State *v.* Bristow 109 N. W. 199 (1906)

**we** **Kan.** Declaring unconst. '05 ch.3 which provides for appeal from county bd. of equalization to District Court. Confers administrative duties on court.

Silven *v.* Bd. of Comrs. of Osage Co. 92 P. 604 (1907)

**wf** **Ky.** Declaring unconst. '02 ch.14 §4 prohibiting c. o. d. shipments of liquor into no-license territory as far as it applies to shipments from one state to another. Attempt to regulate interstate commerce. Adams Express Co. *v.* Kentucky 206 U. S. 129 (1907)

**wg** **Ky.** Declaring unconst. S.'03 §571 requiring corp. to have place of business in state so far as it affects steamship company engaged in interstate traffic.

Ryman Steamboat Line Co. *v.* Commonwealth 101 S. W. 403 (1907)

**wh** **Ky.** Declaring unconst. S.'03 §4088 so far as it exempts from taxation shares of corp. paying taxes only on property within state. Nonuniform.

Commonwealth *v.* Walsh's Trustee 106 S. W. 240 (1907)

**wi** **Ky.** Declaring invalid '04 ch.104 fixing license tax on single stamped spirits. Revenue bill originating in Senate.

Thierman Co. *v.* Commonwealth 97 S. W. 366 (1906)

**wj** **Ky.** Declaring unconst. '06 ch.22 art.12 subdiv.4 §1 imposing occupation tax on real estate agents varying according to class of city and exempting those without. Nonuniform.

Hager *v.* Walker 107 S. W. 254 (1908)

**wk** **Ky.** Declaring unconst. '06 ch.139 redistricting state into representative districts. Discrepancy in population too great.

Ragland *v.* Anderson 100 S. W. 865 (1907)

**wn** **La.** Declaring unconst. '68 ch.59 creating debt for improvement of navigation of Red river. Means not provided for payment of principal and interest.

Durbridge *v.* State 42 S. 337 (1906)

**wp** **La.** Declaring unconst. '06 ch.214 §2 rel. to license tax on cotton and stock brokerage. Graduation of tax not equitable.

State *v.* W. F. Pinckard & Co. 43 S. 1015 (1907)

**wq** **Me.** Declaring unconst. R.S.'03 ch.29 §39 authorizing seizure of intoxicating liquors while in transit, in so far as it applies to interstate traffic. Interferes with interstate commerce.

State *v.* Intoxicating Liquors 64 A. 812 (1906)

**wr** **Md.** Declaring unconst. '06 ch.804 providing for rebuilding certain state tobacco warehouses under supervision of State Tobacco Warehouse Building Comm. Subject not within title.

Christmas *v.* Warfield 66 A. 491 (1907)

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- ws** **Mass.** Declaring unconst. R.L.ch.11 §270, '05 ch.313 §2 which provide for use of voting machines. Violative of provision of Const. requiring "written votes." *Nichols v. Minton* 82 N. E. 50 (1907)
- wt** **Mass.** Declaring unconst. in entirety R.L.ch.65 rel. to licensing peddlers, declared unconst. as to discrimination between products of U. S. and other countries, 76 N. E. 955. Parts inseparable.  
*Commonwealth v. Hana* 81 N. E. 149 (1907)
- wu** **Mass.** Declaring unconst. R.L.ch.65 §19 discriminating as to peddlers' licenses in favor of persons over 70 years old and those residents paying taxes on stock. Denies equal protection of laws.  
*Commonwealth v. Hana* 81 N. E. 149 (1907)
- wv** **Mich.** Declaring unconst. C.L.'97 §11,633 which allows prosecution of larceny on railroad car in any county through which train passes. Trial by jury means in county where offense committed.  
*People v. Brock* 112 N. W. 1116 (1907)
- ww** **Mich.** Declaring unconst. '97 ch.91 providing for toll road comrs. to enforce toll road law. Confers judicial power on comr.  
*Bridge St. etc. Road Co. v. Hogadone* 114 N. W. 917 (1908)
- wx** **Mich.** Declaring unconst. '07 ch.287 §10 rel. to use of voting machine for certain combinations of candidates. Violates right of secret ballot.  
*Helme v. Bd. of Election Comrs. of Lenawee Co.* 113 N. W. 6 (1907)
- wy** **Mich.** Declaring unconst. '07 p.526 providing for submission to people of question of direct nomination of Gov., Lieut. Gov. and U. S. Senators. Not adopted by majority vote of Senate.  
*Kelley v. Sec. of State* 112 N. W. 978 (1907)
- wz** **Minn.** Declaring unconst. '99 ch.349 §27 in so far as it confers on Supreme Court original jurisdiction in primary election contests. Has original jurisdiction in remedial actions only.  
*In re Lauritsen* 109 N. W. 404 (1906)
- x** **Minn.** Declaring unconst. '07 ch.191 rel. to construction of drain over land adjoining that of owner seeking to drain own land. Condemnation and assmt. of property of individual for private purpose; deprives of property without due process of law.  
*In re Schubert* 114 N. W. 244 (1907)
- xa** **Miss.** Declaring unconst. '98 ch.5 §66 which provides that railroad claiming exemption under maximum and minimum rate provisions of charter be taxed \$10 per mile extra. Takes property without due process of law; impairs obligation of contract; discriminatory.  
*Gulf & S. I. R. Co. v. Adams* 45 S. 91 (1907)
- xb** **Miss.** Declaring unconst. '98 ch.66 partially abrogating doctrine of fellow servant as to employees of corporations. Denies corporations protection of laws equal with individuals.  
*Bradford Construction Co. v. Heflin* 42 S. 174 (1906)
- xc** **Miss.** Declaring unconst. C.'06 §4910 rel. to entry or remittitur. Denies defendant equal rights.  
*Yazoo & M. V. R. Co. v. Wallace* 43 S. 469 (1907)

# UNCONSTITUTIONAL STATUTES

- 12**
- xd Mo.** Declaring unconst. R.S.'99 ch.22 art.3 so far as it prohibits gift of drink of liquor in local option district as act of hospitality and not in connection with business transaction.  
State v. Fulks 105 S. W. 733 (1907)
- xe Mo.** Declaring unconst. '07 p.257 prohibiting granting of liquor license within 5 miles of state educational institution having 1500 students. Special legislation as applying to State University only.  
State v. Turner 107 S. W. 1064 (1908)
- xf Mon.** Declaring unconst. P.C. §4637 which imposes tax for county purposes on petitioner for letters of administration. Legis. may not levy tax for mun. purposes.  
Hauser v. Miller 94 P. 197 (1908)
- xg Neb.** Declaring void '97 ch.95 rel. to mortgage deficiency judgments. Irregularity in passage.  
Moore v. Neece 114 N. W. 767 (1908)
- xh Neb.** Declaring unconst. C.S.'03 §6192 providing appeal to District Court in matters rel. to convenience and practicability of construction of drainage ditch. Confers administrative duties on court.  
Tyson v. Washington County 110 N. W. 634 (1907)
- xi Nev.** Declaring unconst. '07 ch.185 §3 so far as it provides for payment of expenses of State Industrial and Publicity Comrs. Appropriations must be specific. State v. Eggers 91 P. 819 (1907)
- xj N. J.** Declaring unconst. '92 ch.66 providing for election of president of common council in cities of 2d class. Special act regulating internal affairs of cities.  
Seymour v. City of Orange 65 A. 1033 (1907)
- xk N. J.** Declaring unconst. '06 ch.114 §5 rel. to appointment of mun. excise comrs. Special legislation.  
Decker v. Daudt 67 A. 375 (1907)
- xn N. J.** Declaring unconst. '06 ch.133 apportioning state into Assembly districts. By Const. art.4 §3 electors of a county vote for all assemblymen from county. Smith v. Baker 64 A. 1067 (1906)
- xp N. J.** Declaring unconst. '06 ch.280 which provides for local taxation of real estate off main stem of railroad or canal and leaves balance to be taxed under gen. state law. Special legislation.  
United N. J. R. & Canal Co. v. Parker, 69 A. 239 (1908)
- xq N. Y.** Declaring unconst. '01 ch.128, Pen.C. §640d, msdr. in cities over 50,000 to offer for sale real property without written authority of owner. Violative of Const. art.1 §1,6 and U. S. Const. art.1 §10 and 14th amdt. Frank L. Fisher Co. v. Woods 79 N. E. 836 (1907)
- xr N. Y.** Declaring unconst. '03 ch.184 §77, Pen. C. 384l prohibiting employment of females and minors between 9 p. m. and 6 a. m., as far as applying to adult females. Not within police power; discriminates against female citizens; infringes right to contract.  
People v. Williams 81 N. E. 778 (1907)
- xs N. Y.** Declaring unconst. '06 ch.414 amdg.'96 ch.908 §315 imposing stock transfer tax on each share of \$100 or less regardless of face or actual value. Unequal taxation.  
People v. Mensching 79 N. E. 884 (1907)

# N. Y. STATE LIBRARY INDEX OF LEGISLATION 1907

- 12**
- xt N. Y.** Declaring unconst. '06 ch.431 apportioning state into legis. districts. Violative of const. requirements as to contiguity and compactness. In re Sherill 81 N. E. 124 (1907)
- xu N. Y.** Declaring unconst. '07 ch.538 which provides for recanvass by Supreme Court of votes cast for mayor of New York city Nov. 1905. Court not bipartisan bd.; trial by jury denied. Metz v. Maddox 82 N. E. 507 (1907)
- xv N. D.** Declaring unconst. '01 ch.5 in so far as it provides in actions to quiet title, for service of summons by publication which does not contain description of land or specifically name adverse claimants. Takes property without due process of law. Fenton v. Minnesota Title Ins. & Trust Co. 109 N. W. 363 (1906)
- xw N. D.** Declaring unconst. R.C.'05 §9383 as far as it provides that witness in prosecution for illegal traffic in liquor shall testify, but testimony shall not be used against him. Immunity granted not broad enough. In re Beer 115 N. W. 672 (1908)
- xx N. D.** Declaring unconst. '05 ch.109 §4 in so far as it requires payment of fees for printing name on official primary ballot. Prescribes unwarranted qualification for voters and candidates. Johnson v. Grand Forks County 113 N. W. 1071 (1907)
- xy N. D.** Declaring unconst. '07 ch.187 providing for appointment by Gov. of comr. to enforce liquor laws. Const. requires state's attys. to be elective. Ex parte Corliss 114 N. W. 962 (1907)
- xx O.** Declaring unconst. '04 p.392 pensioning indigent blind. Use of public funds for private purposes. Auditor of Lucas Co. v. State 78 N. E. 955 (1906)
- y Okl.** Declaring unconst. '01 ch.3 which prefers subsequent agister's lien to prior chattel mortgage. Impairs obligation of contract. National Bank of Commerce v. Jones, 91 P. 191 (1907)
- ya Okl.** Declaring unconst. '03 ch.25 art.3 §2 providing for 6 jurors for trial of crimes in Justice and Probate Courts. Violative of U. S. Const. art.3 §2, and amdt. 6. Bettge v. Territory 87 P. 897 (1906)
- yb Or.** Declaring unconst. '93 p.194 which increased dower, as to preexisting debts. Impairs obligation of contract. Davidson v. Richardson 91 P. 1080 (1907)
- yc Or.** Declaring unconst. '07 ch.113 which created Port of Columbia. Special law creating mun. corp. Farrell v. Port of Columbia 91 P. 546 (1907)
- yd S. C.** Declaring unconst. Crim.C. §357 which declares person who receives advances under contract to labor on farm and wilfully fails to perform, guilty of msdr. Imprisonment for debt; involuntary servitude; discriminates against laborer in favor of employer. Ex parte Hollman 60 S. E. 19 (1908)
- ye S. C.** Declaring unconst. '04 ch.269 as far as imposing higher annual license tax on foreign corporations already admitted to do business in state, than on domestic corporations. Impairs obligation of contract. British American Mortg. Co. v. Jones 56 S. E. 983 (1907)

# UNCONSTITUTIONAL STATUTES

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- yf** **S. C.** Declaring unconst. '05 ch.480 requiring railroad to construct industrial side track. Takes private property for private use. *Mays v. Seaboard Air Line Ry.* 56 S. E. 30 (1906)
- yg** **Tenn.** Declaring unconst. '85 ch.135 in so far as it relates to jurisdiction of Circuit Court in condemnation of property of private corp. Title defective. *Franklin Turnpike Co. v. Long Distance Tel. Co.* 99 S. W. 373 (1907)
- yh** **Tenn.** Declaring unconst. '99 ch.381: felony to remove [maliciously] timber from land of another. Fails to recite substance of act sought to be amended. *State v. Smith* 105 S. W. 68 (1907)
- yi** **Tenn.** Declaring unconst. '03 ch. 258 so far as it exempts from taxation growing crops and articles manufactured from produce of state in hands of manufacturers. Violates commerce clause of U. S. Const. as discriminating against property brought into state. *Darnell & Son v. Memphis* 208 U. S. 113 (1908)
- yk** **Tex.** Declaring unconst. R.S.'95 §4497,4499 which impose penalty on carrier for delay in furnishing cars. Interferes with interstate commerce. *Texas & P. Ry. Co. v. Loving* 98 S. W. 451 (1906)
- yn** **Tex.** Declaring unconst. '03 ch.136, prosecution for seduction, suspended by marriage, may be continued if husband deserts or maltreats wife within 2 years. Deprives of speedy trial. *Waldon v. State* 98 S. W. 848 (1906)
- yp** **Tex.** Declaring unconst. '05 ch.133 requiring railroad to maintain water-closets at all depots. Deprives of property without due process of law. *Missouri, K. & T. Co. of Texas v. State* 100 S. W. 766 (1907)
- yq** **Tex.** Declaring unconst. '05 ch.152 prohibiting issuance of merchandise check to employee for wages. Interferes with right of contract; takes property without due process of law. *Jordan v. State* 103 S. W. 633 (1907)
- yr** **Tex.** Declaring unconst. '07 ch.112 levying occupation tax on dealers in nonintoxicating malt liquors. Nonuniform; not within police power. *Ex parte Woods*, 108 S. W. 1171 (1908)
- ys** **U.** Declaring unconst. R.S.'98 §1156 rendering homesteads liable to execution on mechanics lien. Constitutional exemption of homesteads without exception. *Volker-Scowcroft Lumber Co. v. Vance* 88 P. 896 (1907)
- yt** **U.** Declaring unconst. '03 ch.94 rel. to assmt. of shares of corp. Impairs obligation of contract. *Garey v. St Joe Mining Co.* 91 P. 369 (1907)
- yu** **U.** Declaring unconst. '05 ch.117 §7: parent responsible for delinquency of child guilty of msdr. Denies right of trial. *Mill v. Brown* 88 P. 609 (1907)
- yv** **Vt.** Declaring unconst. '06 ch.182 §1 as far as it makes it punishable to keep bob veal with intent to ship from state. Interferes with interstate commerce. *State v. Peet* 68 A. 661 (1908)

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- yw** **Va.** Declaring unconst. '03 ch.258 which makes common carrier liable for injury to property when received from connecting carrier. Interferes with interstate commerce. *Winslow Bros. & Co. v. Atlantic Coast Line R. Co.* 60 S. E. 709 (1908)
- yx** **Va.** Declaring unconst. C.'04 §2639a in so far as it authorizes clerks of corp. courts to admit wills to probate etc. Judicial authority not enumerated in Const. *McCurdy v. Smith* 60 S. E. 78 (1908)
- yy** **Va.** Declaring unconst. '06 ch.256 requiring railroads to sell mileage books for 500 miles at 2c. Takes property without due process of law. *Commonwealth v. Atlantic Coast Line R. Co.* 55 S. E. 572 (1906)
- yz** **Wash.** Declaring unconst. Ballinger's Ann.C.&S §4114, which gives person on whose land waters rise prior right of use, as regards lower riparian owners of land patented before enactment. Takes property without due process of law. *Nielson v. Sponer* 89 P. 155 (1907)
- z** **Wash.** Declaring unconst. '01 ch.172 §10 which requires 2 years' apprenticeship under practising barber for applicant for license. Unreasonable and arbitrary. *State v. Walker* 92 P. 775 (1907)
- za** **Wash.** Declaring unconst. '03 ch.93 so far as it prohibits issuance of false statement by officer of corp. to persons dealing in stock of corp. Defective title. *State v. Merchant* 92 P. 890 (1907)
- zb** **Wash.** Declaring unconst. '03 ch.133 so far as it provides for appointment of county fruit inspector. County officers must be elective. *State ex rel. Egbert v. Blumberg* 89 P. 708 (1907)
- zc** **Wash.** Declaring unconst. '05 ch.172 in so far as it provides for election of game wardens by county comrs. County officers must be elective. *State ex rel. Snodgrass v. Savage* 92 P. 409 (1907)
- zd** **Wash.** Declaring unconst. '05 ch.179 which prohibits issuance of trading stamps. Deprives of property without due process of law. *Leonard v. Bassindale* 89 P. 879 (1907)
- ze** **W. Va.** Declaring unconst. C. '06 §2370 rel. to right of eminent domain in owners of certain industries. Takes private property for private use. *Hench v. Pritt* 57 S. E. 808 (1907)
- zf** **Wis.** Declaring unconst. S.'98 §4096 in so far as it allows examination and taking of deposition of former employee of corp. but not of private person by adverse party. Denies equal protection of laws. *Phipps v. Wis. Cent. Ry. Co.* 113 N. W. 456 (1907)
- zg** **Wis.** Declaring unconst. '07 ch.266 which provides that unoccupied upper berth of sleeping car be opened or closed at option of occupant of lower berth. Appropriates property of one for benefit of another. *State v. Redmon* 114 N. W. 137 (1907)

13

## Uniform laws

See also 464, Negotiable instruments

- a** **Ill.** Creates comm. for promotion of uniformity of legislation in U. S. consisting of 5 members, appointed by the Gov. for 4 years; biennial report to Gov. 30 days before convening of Legis. 2§  
'07 p.570, 3 June



## CONSTITUTIONAL LAW

13

- b **Kan.** Directing Gov. to call interstate oil conference, to which Govs. of Col., Neb., Ia., Mo., Ill., Ark., Tex. and Okl. be invited, to discuss uniform oil legislation. '07 ch.441, 25 Jan
- c **Kan.** Requesting Legis. of Mo. to unite with that of Kan. in passing uniform law governing stock yards. '07 ch.437, 8 Feb.
- d **U.** Creating Bd. of Comrs. for Promotion of Uniformity of Legislation in U. S.: 3 members, appointed by Gov. and Senate, term 2 years; to act with similar bds. of other states. 5§  
'07 ch.36, 13 Mar.

14

## Comparative legislation

- a **Ala.** Dept. of Archives and History to encourage establishment of public and school libraries; to give advice in library administration; to conduct traveling libraries; to arrange reference collection for use of members of Legis., state officers etc. 2§ '07 p.318 5 Mar.
- b **Ind.** Creating legis. reference dept. in State Library; to collect data as to legislation, for use of Gen. Assembly; librarian appointed by State Librarian, salary \$1500; annual appropriation \$4000. 3§  
'07 ch.147, 9 Mar.
- c **Mich.** Establishing legis. reference dept. in State Library. 6§  
'07 ch.306, 28 June
- d **Neb.** Construction of basement story of building for State Historical Society and Legis. Reference Dept.; \$25,000. Rep. '85 ch. 121 §1-2. 7§  
'07 ch.146, 10 Apr.
- e **N. D.** State Library Comn. to establish legis. reference bureau. 10§  
'07 ch.243, 2 Mar.
- f **R. I.** State Librarian to establish legis. reference bureau; \$1800. 3§  
'07 ch.1471, 23 Apr.
- g **S. D.** State Librarian to form division of legis. reference; depts. to furnish reports; Sec. of State to furnish statutes, session laws and reports of Supreme Court. 3§  
'07 ch.185, 18 Feb.

15

## CONSTITUTIONAL LAW

This and 750, Administrative law, make up what is commonly known as the Political Code.

16

## Capital

- a **Cal.** Submitting to electors change of capital from Sacramento to Berkley. 2§. Vote Nov. 1908. '07 ch.98, 6 Mar.

17

## Boundary. Jurisdiction

- a **N. Y.** Amdg. state law '92 ch.678 §4 rel. to Vt. boundary line. 2§  
'07 ch.339, 13 May
- b **N. C.** Gov. to appoint comr. to act with one representing Va. to rerun and remark boundary. 5§  
'07 ch.98, 2 Feb.
- c **Tenn.** Comn. of 3, appointed by Gov., to confer with like comn. of Ark. rel. to boundary; report to next Gen. Assembly for ratification; on refusal of Ark. to negotiate Atty. Gen. to bring suit in U. S. Supreme Court. 3§  
'07 ch.516, 15 Apr.

## N. Y. STATE LIBRARY INDEX OF LEGISLATION 1907

17

- d **Vt.** Boundary Line Comr. to be appointed by Gov. to restore monuments; expenditures to be joint with bordering state. 3§  
'06 ch.226, 10 Dec.

18

### *Cessions to United States*

- a **Cal.** Authorizing Gov. to convey to U. S. tracts under water not to exceed 10 acres each for aids to navigation. Adds P.C. §35. 1§  
'07 ch.310, 18 Mar.
- b **Cal.** Granting right of way to U. S. over state lands for works in connection with reclamation and irrigation. 2§  
'07 ch.461, 21 Mar.
- c **Col.** U. S. may acquire sites for public buildings by purchase or condemnation. 4§  
'07 ch.228, 9 Apr.
- d **Neb.** Consenting to purchase by U. S. of site for weather bureau observatory. 1§  
'07 ch.145, 6 Apr.
- e **N. J.** Authorizing acquisition by U. S. of land for governmental purposes. 3§  
'07 ch.19, 29 Mar.
- f **N. Y.** Amdg. '99 ch.242 §1: U. S. may condemn not exceeding 2 acres in city or village for public building. 1§  
'07 ch.375, 27 May
- g **N. Y.** Procedure where land condemned for fortification by U. S. includes highway. 2§  
'07 ch.404, 4 June
- h **N. C.** U. S. may acquire real property for public buildings. 3§  
'07 ch.25, 24 Jan.
- i **N. C.** U. S. may condemn land in connection with improvement of rivers and harbors. 2§  
'07 ch.681, 7 Mar.

19

### Statistics

*See also* 938, Vital statistics; 1832, Agriculture

- a **Fla.** Enumeration of agric., horticultural, live stock, manufacturing and industrial statistics; county enumerators; under direction of Comr. of Agric. 4§  
'07 ch.14, 21 May

20

### Bureaus of statistics

*See also* 2040, Labor

- a **U.** State auditor created Comr. of Bureau of Statistics; present office of comr. abolished. Amds. '01 ch.55 §1; rep. §4. 4§  
'07 ch.131, 23 Mar.

21

### Census

*See also* 2274, School census

- a **Or.** Amdg. Ann. C.& S. §3160 rel. to form of enumeration roll. 1§  
'07 ch.127, 23 Feb.

22

### State coat of arms, name, seal, flag, flower, song

24

#### *Flag*

- a **Col.** State banner, coat of arms with dark blue background, to be used where state officially represented; penalties as for misuse of national flag. 1§  
'07 ch.130, 9 Apr.

## CONSTITUTIONS      AMENDMENT

- |           |  |                     |
|-----------|--|---------------------|
| <b>24</b> |  |                     |
| <b>b</b>  | <b>Id.</b> Adopting state flag. 4§                                   | '07 p.304, 12 Mar.  |
| <b>c</b>  | <b>N. C.</b> Requiring display of state flag on public buildings. 4§ | '07 ch.838, 9 Mar.  |
| <b>d</b>  | <b>Pa.</b> Designating flag of commonwealth. 4§                      | '07 ch.373, 13 June |
| <b>e</b>  | <b>W. Va.</b> Adopting new state flag. '07 (ex. sess.)               | p.583, 25 Feb.      |

## 25 Flower

- a Ct. Making mountain laurel state flower. 1§ '07 ch.38, 17 Apr.  
b N. D. Wild prairie rose designated state flower. 1§  
'07 ch.231, 7 Mar.

26 *Motto*

- a Ark. Changing state motto from *Regnant Populi* to *Regnat Populus*. 28 '07 ch.395.23 May

## 30 Constitutions

- a Del.** Directing Sec. of State to have printed 2500 copies of Del. Const. '07 ch.269, 9 Mar.
- b Okl.** Constitution for state of Okl.; 91 p. Ratified by popular vote, 17 Sept. '07; approved by President 16 Nov. '07.

## 32 Revision

- a **Col.** Directing Sec. of State to publish 1000 copies of records of Const. Convention of '76; distribution; \$2500. 3<sup>1</sup> '07 ch.135, 5 Apr.
- b **Ct.** Amdg. Const. in form of revision of Const. 17p. Rejected Nov. 1907. '05 p.553, 19 July; '07 ch.214, 17 July
- c **Mich.** Convention to make gen. revision of Const.; election of delegates Sept. 1907; procedure. 10<sup>1</sup> '07 ch.272, 27 June
- d **S. D.** Providing for publication of debates of Const. Conventions of 1885, 1889; 1000 copies; distribution. 3<sup>1</sup> '07 ch.98, 27 Feb.

**33** **Amendment**

*See also* 181, 'Ballots'

- a **Me.** Amdg. Const. 1819 art. 10 § 2: amdts. proposed by Legis. to be voted on 2d Monday in Sept. *following* [at next biennial election].  
Vote Sept. 1908. '07 r. 238, 28 Mar.
- b **Minn.** Amdg. R.L.'05 § 25 rel. to publication of proposed const. amdts.: in not more than 3 newspapers in each county; rate per folio 50c for 1st publication, 25c thereafter; 1 of newspapers to be opposite party from others. 1 §  
'07 ch. 152, 11 Apr.
- c **Mo.** Requesting Cong. to call convention to propose amdts. to art. 5 of U. S. Const. '07 p. 462
- d **Neb.** Amdg. C.S.'05 § 516 rel. to canvass of voters on const. amdts.: number of votes for senator and representative not to be returned. 2 §  
'07 ch. 1, 6 Apr.

## Amendments pending

The entries under this head are duplicated under the special subjects to which they pertain.

- a **Ala.** Submitting amdt. to Const. 1901, adding art.19: formation of new counties. 2§. Vote Nov. 1908. '07 p.628
- ab **Ala.** Submitting amdt. to Const. 1901 §93: legis. may apply net proceeds from state convict fund to construction and maintenance of roads, and may make additional appropriations for same purpose. 3§ Vote Nov. 1908. '07 p.740
- ac **Ala.** Submitting amdt. to Const. 1901 §46 and 48, providing for *biennial* [quadrennial] sessions of legis. 4§. Vote Nov. 1908. '07 p.909
- ad **Ark.** Submitting amdt. to Const. 1874 art.21 rel. to qualifications of elector: residence of 1 month in precinct, *town* or ward required. 1§. Vote Sept. 1908. '07 p.1256, 27 Apr.
- b **Ark.** Submitting amdt. to Const. 1874 art.16 §1: counties, cities and towns authorized to issue bonds, not to exceed 10% of assessed valuation, for maintenance of public improvements; 3 mill levy. 1§. Vote Sept. 1908. '07 p.1257, 23 May
- c **Cal.** Submitting amdt. to Const. 1879 to rep. art.13 §4 rel. to taxation of obligations by which debt is secured. 1§. Vote Nov. 1908. '07 p.1159, 19 Feb.
- d **Cal.** Submitting amdt. to Const. 1879 art.12 §7: charter of *quasi-public* corp. not to be extended; *of others may be extended by written consent of 2/3 of stock.* 1§. Vote Nov. 1908. '07 p.1240, 27 Feb.
- e **Cal.** Submitting amdt. to Const. 1879 art.2 §2½: mandatory for Legis. to enact direct primary laws. 1§. Vote Nov. 1908. '07 p.1271, 6 Mar.
- f **Cal.** Submitting amdt. to Const. 1879 art.9 §6 rel to public school system. 1§. Vote Nov. 1908. '07 p.1275, 6 Mar.
- g **Cal.** Submitting amdt. to Const. 1879 art.11 §5: Legis. may fix fees of county officers; also of jurors graded according to class of county, not to exceed \$3 per day. 1§. Vote Nov. 1908. '07 p.1276, 8 Mar.
- h **Cal.** Submitting amdt. to Const. 1879 art.13 §1, 9-11: separation of state and local taxation. Adds §14, 15; rep. art.11 §10. 7§. Vote Nov. 1908. '07 p.1353, 9 Mar.
- i **Cal.** Submitting amdt. to Const. 1879 which adds art.4 §23a: expense for employees of Legis. limited to \$500 per day during regular sessions; \$200 for extra sessions. 1§. Vote Nov. 1908. '07 p.1358, 11 Mar.
- j **Cal.** Submitting amdt. to Const. 1879 art.4 §26: contracts rel. to stock speculation void. 1§. Vote Nov. 1908. '07 p.1360, 14 Mar.
- k **Cal.** Submitting amdt. to Const. 1879 art.4 §2, 23: no bill to be introduced in Legis. after 40 [50] days of session except with consent of 3/4 [2/3]; compensation of members \$1000 annually, \$10 per day for extra session [not exceeding \$8 per day for not over 60 days]. 2§. Vote Nov. 1908. '07 p.1362, 14 Mar.

# CONSTITUTIONS AMENDMENTS PENDING

34

- n **Cal.** Submitting amdt. to Const. 1879 art.5 §19: salary of Gov. \$10,000 [\$6000]; Lieut. Gov. \$4000 [per diem of Speaker of Assembly]; Sec. of State, Comptroller, Treasurer, Surveyor Gen. \$5000 [\$3000]; *Atty. Gen.* \$6000; clerks in such offices not to exceed \$1800 [\$1600]. 1§. Vote Nov. 1908. '07 p.1364, 14 Mar.
- p **Cal.** Submitting amdt. to Const. 1879 art.12 §3: provisions as to liability of stockholders not to apply to those of international exposition companies in state. 1§. Vote Nov. 1908. '07 p.1365, 14 Mar.
- q **Cal.** Submitting amdt. to Const. 1879 art.16 §1: loans not to run for over 75 [20] years; *sinking funds may be provided for.* 1§. Vote Nov. 1908. '07 p.1366, 14 Mar.
- r **Cal.** Submitting amdt. to Const. 1879 art.9 §7: composition of State Bd. of Education; uniform textbooks. 1§. Vote Nov. 1908. '07 p.1369, 14 Mar.
- s **Cal.** Submitting amdt. to Const. 1879 art.4 §16: bills unsigned by Gov. at adjournment of Legis. may be signed in 30 [10] days. 1§. Vote Nov. 1908. '07 p.1370, 14 Mar.
- t **Col.** Submitting amdt. to Const. 1876 art.5 §30: salary of Gov. \$7500 [\$5000] and \$2500 [\$1500] for private sec.; of judge of Supreme Court \$7500 [\$5000]; of judge of District Court \$5000 [\$4000]. 1§. Vote Nov. 1908. '07 ch.133, 15 Apr.
- u **Col.** Submitting amdt. to Const. 1876 art.11 §3: authorizing limit of indebtedness to be exceeded by issue of bonds to fund Auditor of state's warrants for 1887-89, 1892-94, 1897. 11§. Vote Nov. 1908. '07 ch.134, 9 Apr.
- v **Col.** Submitting amdt. to Const. 1876 art.14 §15: Legis. to fix compensation of county, precinct *and other* officers. 3§. Vote Nov. 1908. '07 ch.180, 3 Apr.
- w **Del.** Referring to Legis. of 1909 amdt. to Const. 1897 art.2 §15 rel. to compensation of members of Gen. Assembly: \$10 [\$5] per diem; presiding officers \$12 [\$6]. 1§ '07 ch.8
- wa **Fla.** Submitting amdt. to Const. 1885 art.5 §9: salaries of justices of Supreme Court [\$3000], circuit judges [\$2500] *and judges of criminal courts of record to be fixed by Legis.* 1§. Vote Nov. 1908. '07 p.767, 27 May
- wb **Fla.** Submitting amdt. to Const. 1885 art.12 by adding §16: 1 mill tax for certain institutions of learning. 1§. Vote Nov. 1908. '07 p.767, 3 June
- wc **Fla.** Submitting amdt. to Const. 1885 art.5 §35: Legis. authorized to establish new judicial circuits. 1§. Vote Nov. 1908. '07 p.768, 3 June
- wd **Ga.** Submitting amdt. to Const. 1877 art.2 §1: qualification of electors. 13§. Vote Oct. 1908. '07 p.47, 21 Aug.
- we **Id.** Submitting amdt. to Const. 1889 art.18 §6: county comrs. may authorize deputy assessors and tax collectors. 3§. Vote Nov. 1908. '07 p.585, 6 Mar.

- 34**  
**wf** **Id.** Submitting amdt. to Const. 1889 art.5 §2, 17, 20, 24; and rep. art.5 §11, 21: District Court for each county; Probate Court abolished; salaries of Supreme and District Court judges. 9§. Vote Nov. 1908. '07 p.592, 7 Mar.
- wg** **Ia.** Submitting amdt. to Const. 1857 art.1 §18: Legis. may regulate construction of drains etc. across private lands, provide for organization of drainage districts and maintenance of drains. 1§. Vote Nov. 1908. '06 p.210, 10 Apr.; '07 p.282, 1 Apr.
- wh** **Kan.** Submitting amdt. to Const. 1859 art.2 §3: compensation of members of the Legis. to be \$500 for regular session and \$100 for special session [§3 per day, but not more than \$150 for regular or \$90 for special session]; mileage 3 c [15] per mile. 2§. Vote Nov. 1908. '07 ch.431, 9 Mar.
- wi** **Kan.** Submitting amdt. to Const. 1859 art.3 §13: justices of Supreme Court and judges of *all courts of record* [District Courts] not to hold any other office *except that of judge of federal court or of state court* during term for which elected. 2§. Vote Nov. 1908. '07 ch.432, 12 Mar.
- wj** **Me.** Submitting amdt. to Const. 1819 art.4 pt.1 §1, pt.3 §1 and adding §16-22 to pt.3: state and local initiative and referendum. Vote Sept. 1908. '07 r.121, 20 Mar.
- wk** **Me.** Amdg. Const. 1819 art.10 §2: amdts. proposed by Legis. to be voted on 2d Monday in Sept. *following* [at next biennial election]. Vote Sept. 1908. '07 r.238, 28 Mar.
- wn** **Mich.** Submitting amdt. to Const. 1850 art.14 §10: taxation of property of transportation corporations. Vote Nov. 1908. '07 p.524
- wp** **Minn.** Submitting amdt. to Const. 1857 substituting 1§ for art.9 §1-4 rel. to taxation. 3§. Vote Nov. 1908. '07 ch.477, 20 Apr.
- wq** **Minn.** Submitting amdt. to Const. 1857 art.9 §16 rel. to annual tax for road and bridge fund: limit of 1/20 of mill removed. 3§. Vote Nov. 1908. '07 ch.478, 24 Apr.
- wr** **Minn.** Submitting amdt. to Const. 1857 art.9 adding new §: state insurance for loss to crops from hail and cyclone; tax on land listed by owners; fund; action by Legis. authorized. 2§. Vote Nov. 1908. '07 ch.480, 24 Apr.
- ws** **Minn.** Submitting amdt. to Const. 1857 art.7 §7: educational qualification for county supts. of schools; Legis. to fix. 2§. '07 ch.479, 25 Apr.
- wt** **Mo.** Submitting amdt. to Const. 1875: initiative and referendum. 1§. Vote Nov. 1908. '07 p.452
- wu** **Mo.** Submitting amdt. to Const. 1875 adding art.10 §12b: city of 100,000 authorized to incur additional indebtedness of 5% of assessed valuation. 1§. Vote Nov. 1908. '07 p.453
- wv** **Mo.** Submitting amdt. to Const. 1875 art.10 §12a: in city of 2000 to 30,000 debt for waterworks, electric or other light plants not to be considered rel. to limitation of indebtedness. 1§. Vote Nov. 1908. '07 p.454

# CONSTITUTIONS AMENDMENTS PENDING

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- ww** Mo. Submitting amdt. to Const. 1875 art.4 §16: compensation of legislators \$750 *per annum* [\$5 per day first 70 days, \$1 thereafter]. 1§. Vote Nov. 1908. '07 p.457
- wx** Mo. Submitting amdt. to Const. 1875 adding art.10 §27: tax of 10c on \$100 for highways. 1§. Vote Nov. 1908. '07 p.457
- wy** Mo. Submitting amdt. to Const. 1875 rel. to composition and procedure of Supreme Court. 8§. Vote Nov. 1908. '07 p.458
- wz** Mo. Submitting amdt. to Const. 1875: county or town may levy special road and bridge tax of 25c per \$100. 1§. Vote Nov. 1908. [Probably intends to supply new section, art.10 §22, in place of art.10 §11a, held unconst. in *State v. C. B. & Q. R. R. Co.*, 195 Mo. 228 (1906)]. '07 p.458
- x** Mo. Submitting amdt. to Const. 1875 adding 7§ to art.10 rel. to separation of state and local revenues. 7§. Vote Nov. 1908. '07 p.460
- xa** Mon. Submitting amdt. to Const. 1889 art.12 §14: Gov., State Auditor and State Treasurer to constitute State Depository Bd. 3§. Vote Nov. 1908. '07 ch.23, 6 Mar.
- xb** Mon. Submitting amdt. to Const. 1889 art.12 §9 rel. to rate of tax levy. 3§. Vote Nov. 1908. '07 ch.154, 7 Mar.
- xc** Neb. Submitting amdt. to Const. 1875 art.8 §9 rel. to investment of school funds: may be invested in *registered school district bonds and such other securities as Legis. may direct*. 1§. Vote Nov. 1908. '07 ch.201, 5 Mar.
- xd** Neb. Submitting amdt. to Const. 1875 art.6 §3, 4, 5, 6 and 13 rel. to Supreme Court: to consist of 7 [3] judges; judges to reside where court is held; time of election; chief justice to be elected as such, and preside during entire term [judge having shortest time to serve to act as chief justice]. 5§ '07 ch.202, 8 Apr.
- xe** Nev. Referring to Legis. 1909 amdt. to Const. 1864 art.2 §7: poll tax to be applied to *roads* [½ for state and ½ for county purposes]. 1§ '07 p.450, 29 Mar.
- xf** Nev. Referring to Legis. 1909 amdt. to Const. 1864 art.10 §1 rel. to taxation: patented mines to be taxed; when mortgage taxed assessed value of property to be reduced proportionally. 1§ '07 p.452, 29 Mar.
- xg** N. Y. Referring to Legis. 1909 amdt. to Const. 1894 art.6 §2: justices of Appellate Division of Supreme Court to designate special *and trial* terms in dept. 2§ '07 p.2505, 12 Mar.
- xh** N. Y. Referring to Legis. 1909 amdt. to Const. 1894 art.6 §7 rel. to Court of Appeals: 2 additional associate judges *to be elected* [designated from Supreme Court by Gov.]; *salary of associate judge \$15,000, of chief justice \$15,000*. 2§ '07 p.2506, 13 June
- xi** N. Y. Referring to Legis. 1909 amdt. to Const. 1894 art.2 §3: Legis. may authorize inmates of Soldiers Home and Women's Relief Corps Home to vote in district where home located. 2§ '07 p.2508, 11 June
- xj** N. Y. Referring to Legis. 1909 amdt. to Const. 1894 art.3 §27: Legis. may confer additional powers on county auditors. 2§ '07 p.2508, 14 June

# N. Y. STATE LIBRARY INDEX OF LEGISLATION 1907

- 34
- xk N. D. Submitting amdt. to Const. 1889 §162: school funds may be invested in drainage bonds or bonds of states not having repudiated indebtedness. 1§. Vote Nov. 1908.  
'05 ch.101, 25 Feb.; '05 p.351, 25 Feb.; '07 p.409, 23 Mar.
- xn N. D. Submitting amdt. to Const. 1889 §158 rel. to sale of school lands; provisos. 1§. Vote Nov. 1908.  
'05 p.350, 6 Mar.; '07 p.409, 23 Mar.
- xp N. D. Submitting amdt. to Const. 1889 §89: Supreme Court to consist of 5 [3] judges. 1§. Vote Nov. 1908.  
'05 p.351, 6 Mar.; '07 p.410, 23 Mar.
- xq N. D. Referring to next Legis. amdt. to Const. 1889 §140: railroads and common carriers to keep offices in state and make reports. 1§  
'07 p.450, 23 Mar.
- xr N. D. Referring to next Legis. amdt. to Const. 1889 §25: initiative and referendum in state legislation. 1§ '07 p.451, 23 Mar.
- xs N. D. Referring to next Legis. amdt. to Const. 1889 §216: normal school established at Minot. 1§ '07 p.453, 11 Mar.
- xt N. D. Referring to next Legis. amdt. to Const. 1889 §158: sale of school and public lands. 1§ '07 p.454, 23 Mar.
- xu N. D. Referring to next Legis. amdt. to Const. 1889 §176: Legis. may impose income tax; may exempt from taxation fraternal societies and hospitals used wholly or partly for public charity. 1§  
'07 p.455, 23 Mar.
- xv N. D. Submitting amdt. to Const. 1889 §162: school funds may be invested in drainage bonds or bonds of states not having repudiated indebtedness. 1§. Vote Nov. 1908.  
'07 p.456, 23 Mar.
- xw N. D. Submitting amdt. to Const. 1889 §158: rel. to sale of school lands; provisos. 1§. Vote Nov. 1908.  
'07 p.457, 23 Mar.
- xx N. D. Submitting amdt. to Const. 1889 §89: Supreme Court to consists of 5 [3] judges. 1§. Vote Nov. 1908.  
'05 p.351, 6 Mar.; '07 p.458, 23 Mar.
- xy O. Submitting amdt. to Const. 1851 art.2 by amdg. and dividing §16 into §16 & 18, also renumbering §18-32 as §19-33: reading of bill on final passage; Gov.'s veto. 2§. Vote Nov. 1908. '06 p.412, 20 Mar.
- xz O. Submitting amdt. to Const. 1851 art.2 §25: regular legis. session to commence on 1st Monday in Jan. [biennially in even years] next after it is chosen. Vote Nov. 1908. '06 p.413, 20 Mar.
- y Or. Referring to Legis. of 1909 amdt. to Const. 1857 art.4 §29: compensation of legislators \$400 for session [§3 per diem not to exceed \$120]; \$10 [§3] per diem for extra session; actual traveling expenses [§3 for every 20 miles] each way. 1§ '07 p.503, 13 Feb.
- ya Or. Referring to Legis. of 1909 amdt. to Const. 1857 art.2 §14: gen. biennial election 1st Tuesday after 1st Monday in Nov. [1st Monday in June] beginning 1910; then incumbents of offices except Gov. to hold over to 1st Monday, Jan. 1911. 1§ '07 p.503, 25 Feb.
- yb Or. Referring to Legis. of 1909 amdt. to Const. 1857 art.14 §3: state institutions not located elsewhere prior to Jan. 1, 1907 to be in county at seat of govt., except when otherwise ordered by Legis. and ratified by electors. 1§ '07 p.505, 13 Feb



# CONSTITUTIONS AMENDMENTS PENDING

- 34  
**yc** Or. Referring to Legis. of 1909 amdt. to Const. 1857 art.7: abolishes County Court; amds. generally provisions as to Supreme and Circuit Courts. 15§ '07 p.506, 19 Feb.
- yd** Pa. Referring to Legis. of 1909 amdt. to Const. 1874 art.5 §6,8: consolidation of Courts of Common Pleas in Philadelphia and Alleghany counties; Legis. may establish separate court of criminal jurisdiction for Philadelphia county. 2§ '07 p.833
- ye** Pa. Referring to Legis. of 1909 amdt. to Const. 1874 art.9 §8: debt of municipality not to exceed 10% [7%] of assessed valuation. 1§ '07 p.834
- yf** Pa. Referring to Legis. of 1909 amdt. to Const. 1874 of sundry articles and sections relative to terms of office of various state and local officials; election days; state and mun. elections to be separate. 12§ '07 p.835
- yg** S. D. Submitting amdt. to Const. 1889 art.11: annual levy; graduated inheritance and income taxes. 1§. Vote Nov. 1908. '07, ch.96
- yh** S. D. Submitting amdt. to Const. 1889 adding art.29: salary of Atty. Gen. same as of state officers enumerated in art.4 §12. 1§. Vote Nov. 1908. '07 ch.97
- yi** Tex. Submitting amdt. to Const. 1876 art.7 §3: *majority* [ $\frac{2}{3}$ ] of taxpayers of school district may vote additional tax of 50c [20c] on \$100. 2§. Vote Nov. 1908. '07 p.413, 20 Mar.
- yj** Tex. Submitting amdt. to Const. 1876 art.5 §18: county may be redistricted into comrs. precincts *as may be provided by law*. 2§. Vote at next gen. or special election. '07 p.416
- yk** Tex. Submitting amdt. to Const. 1876 art.4 §5,17: salary of Gov. \$8000 [\$4000], of Lieut. Gov. \$2500 [same as members of Senate]. 2§. Vote Nov. 1908. '07 p.417
- yn** U. Submitting amdt. to Const. 1895 art.13 §7: tax rate not to exceed 8 mills,  $4\frac{1}{2}$  for *gen. purposes*, 3 for *district schools*,  $\frac{1}{2}$  for *high schools*. 3§. Vote Nov. 1908. '07 p.272
- yp** U. Submitting amdt. to Const. 1895 art.11 §3: Legis. may erect new counties from old ones on vote of counties affected. 4§. Vote Nov. 1908. '07 p.273, 25 Mar.
- yq** U. Submitting amdt. to Const. 1895 art.13 §4: mines and mining property to be taxed by *State Bd. of Equalization*. 3§. Vote Nov. 1908 '07 p.274, 23 Mar.
- yr** Wash. Submitting amdt. to Const. 1889 art.7 §1-4 rel. to taxation, by substituting 1§. 3§. Vote Nov. 1908. '07 ch.67, 5 Mar.
- ys** Wash. Submitting amdt. to Const. 1889 art.1 §16: right of eminent domain for right of way for removal of timber. 3§. Vote Nov. 1908. '07 ch.69, 5 Mar.
- yt** Wis. Submitting amdt. to Const. 1848 art.8 §10: state may appropriate money or levy tax for construction or improvement of public highways. 2§. Vote Nov. 1908. '07 ch.238, 19 June
- yu** Wis. Submitting amdt. to Const. 1848 art.8 §1: Legis. may provide for graduated income tax. Vote Nov. 1908. '05 p.992; '07 ch.661, 16 July

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- yv** Wis. Submitting amtds. to Const. 1848 art.8 §1,10: graduated income, privilege and occupation taxes, with reasonable exemptions, may be provided by Legis.; state may give aid for construction of public highways. 2§. Vote Nov. 1908. '07 ch.661, 16 July
- yw** Wis. Submitting amdt. to Const. 1848 art.3 §1 12: qualified electors to include [white] persons of foreign birth declaring intention to become citizens *prior to Dec. 1, 1908; proviso* right hereby granted to cease Dec. 1, 1912. Vote Nov. 1908. Ratified by Legis. '05, p.994; '07 ch.661, 16 July '07 p.1289
- yx** Wis. Submitting amdt. to Const. 1848 art.5 §10: bill not returned by Gov. within 6 [3] days to become law; proviso. Vote Nov. 1908. Ratified by Legis. '05 p.994; '07 ch.661, 16 July '07 p.1281
- yy** Wis. Submitting amdt. to Const. 1848 art.8 §10: state may appropriate money or levy tax for construction or improvement of public highways. Vote Nov. 1908. '05 p.991; '07 p.889, 19 June
- z** Wis. Referring to next Legis. amdt. to Const. 1848 art.10 §3: district schools free to children aged 6 [4] to 20. 1§ '07 p.1288
- zb** Wis. Referring to next Legis. amdt. to Const. 1848 art.4 §3: Legis. apportionment after [State and] U. S. census. '07 p.1293
- zc** Wis. Referring to next Legis. amdt. to Const. 1848 art.8 §10: Legis. may appropriate money, not to exceed 2/10 mill of taxable property, annually to develop water power and forests. '07 p.1293
- zd** Wis. Referring to next Legis. amdt. to Const. 1848 art.4 §21; compensation of legislator \$1000 [\$500] for regular session. '07 p.1295
- ze** Wy. Submitting amdt. to Const. 1889 art.15 §9: State Bd. of Equalization to consist of *chairman of bds. of county comrs.* [State Auditor, Treasurer and Sec. of State]. Vote Nov. 1908. '07 p.194, 16 Feb.

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## Amendments adopted

The entries under this head are duplicated under the special subjects to which they pertain.

- a** Del. Amdg. Const. 1897 art.5 §4: voter not required to pay registration fee to qualify. 1§. Ratified by Legis. of 1907. '05 ch.4, 30 Mar.; '07 ch.7, 21 Jan.
- b** Mass. Amdg. Const. 1870 by adding art. of amdt.: Gov. with consent of Council may remove justices of peace and notaries public. Adopted Nov. 1907. '06 p.843, 3 Apr.; '07 r.123, 24 June
- c** Mich. Amdg. Const. 1850 art.6 §6 rel. to compensation of circuit judges in certain counties. Adopted Apr. 1907. '07 p.502
- d** Mich. Amdg. Const. 1850 art.10 §10 providing for auditors in certain counties. Adopted Apr. 1907. '07 p.504
- e** Mich. Amdg. Const. 1850 art.18 §3 by rep. prohibition as to teaching convicts home industry. Adopted Apr. 1907. '07 p.505
- f** N. Y. Amdg. Const. 1894 art.8 §10: debts incurred for water supply by cities of 2d class after Jan. 1, 1908 not to be included within const. limit of indebtedness. Adopted Nov. 1907. '06 p.1897, 1 May; '07 p.2500, 29 May

## CONSTITUTIONS AMENDMENTS REJECTED

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- g N. Y.** Submitting amdt. to Const. 1894 art.8 §10: debts incurred for water supply by cities of 2d class after Jan. 1, 1908 not to be included within const. limit of indebtedness. 2§. Adopted Nov. 1907.  
'07 p.2501, 29 May
- h N. Y.** Amdg. Const. 1894 art.12 §2 rel. to classification of cities: 1st class comprises cities of 175,000 [250,000] or more; 2d class, 50,000 to 175,000 [250,000]; 3d class, under 50,000. Adopted Nov. 1907.  
'06 p.1896, 2 May; '07 p.2503, 5 Mar.
- i S. C.** Ratifying amdt. to Const. 1895 art.8 §7 adopted by people Nov. 1906: city of Bennettsville may increase bonded indebtedness beyond 8% of taxable property for establishment and maintenance of water works or sewerage plant on submission to popular vote. 1§  
'07 ch.234, 19 Feb

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### Amendments rejected

The entries under this head are duplicated under the special subjects to which they pertain.

- a Ct.** Amdg. Const. in form of revision of Const. 17p. Rejected Nov. 1907.  
'05 p.553, 19 July; '07 ch.214, 17 July
- b Ky.** Amdg. Const. 1891 §145 by adding §14: voter must have paid state, county, mun., district & school taxes of previous year 60 days prior to election. 1§. Rejected Nov. 1907.  
'06 ch.55
- c N. Y.** Referring to next Legis. amdt. to Const. 1894 art.7 §7: Legis. may authorize construction of water storage dams in forest preserve for public purposes. Not repassed by Legis. of 1907.  
'06 p.1895, 3 May
- d Tex.** Submitting amdt. to Const. 1876 art.3 §51: providing for home for Confederate veterans' wives and widows and women who aided the Confederacy. 2§. Rejected Aug. 1907.  
'07 p.412
- e Tex.** Submitting amdt. to Const. 1876 adding art.4 §27: Legis. to provide for office of Comr. of Agric. 2§. Rejected Aug. 1907.  
'07 p.414
- f Tex.** Submitting amdt. to Const. 1876 adding art.8 §9a: road tax or bond issue may be authorized by majority vote of taxpayers of county or subdiv. 2§. Rejected Aug. 1907.  
'07 p.415
- g Tex.** Submitting amdt. to Const. 1876 art.16 §21: printing, stationery etc. for depts. to be supplied as provided by law. 4§. Rejected Aug. 1907.  
'07 p.416
- h Tex.** Submitting amdt. to Const. 1876 art.3 §24: compensation of members of Legis. not to exceed \$1000 in year of biennial session and \$5 per diem at special when held following year; mileage of 3c. 3§. Rejected Aug. 1907.  
'07 p.419
- i Tex.** Submitting amdt. to Const. 1876 art.8 §9: city of 5000 may establish improvement district. 2§. Rejected Aug. 1907.  
'07 p.420

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### Pending propositions

- a Cal.** Submitting to electors change of capital from Sacramento to Berkeley. 2§. Vote Nov. 1908.  
'07 ch.98, 6 Mar.

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## Officers. Departments

Departments of agriculture are classified under Agriculture, departments of education under Education, etc.

- a **Col.** Committee to consist of Auditor of State and 2 holdover senators to prepare bill specifying number, duties and salaries of employees in executive depts.; report next Gen. Assembly.  
'07 p.649, 23 Mar.
- b **N. D.** Temporary clerical assistance in state offices. 1§  
'07 ch.49, 4 Mar.
- c **R. I.** Amdg. '05 ch.1248 §1 rel. to appointing successor of officer who *dies* or resigns during session of Legis. 1§ '07 ch.1430, 5 Apr.
- d **Vt.** Joint committee, 2 senators and 3 representatives to investigate expenses of comns. '06 ch.503, 19 Nov.

38(1

### *Civil service examination*

- a **Col.** Establishing Civil Service Comn. of 3: appointed by Gov. and Senate for 6 years; regulations; appointment from head of list; appointees removable only on charges; Denver and cities of 1st and 2d class may adopt. 25§  
'07 ch.117, 30 Mar.
- b **Ill.** Amdg. '05 p.113, §11, state civil service law: treasurers of state charitable institutions exempt. 1§ '07 p.203, 19 Apr.
- c **Ill.** Amdg. '05 p.113, §4, 6, 9, 10, 12, 18, 19 & 35, rel. to civil service in state institutions; minor amds. 8§ '07 p.204, 25 May
- d **Mass.** Amdg. R.L.ch.19 §1 rel. to Civil Service Comrs: salary of chairman \$1500, others \$1200. 1§ '07 ch.344, 29 Apr.
- e **Mass.** Salary of Sec. of Civil Service Comn. \$3000. 2§  
'07 ch.454, 24 May
- f **Wis.** Amdg. '05 ch.363 §4, 5, 10, to be S.'98 §900 subdiv.4, 5, 10 rel. to Civil Service Comn.: employees; place of holding examinations. 3§  
'07 ch.256, 19 June

38(3

### *Oath. Installation*

- a **Mon.** Amdg. P.C.§1012: officer to take oath between 30 [10] days after notice of election and 15 days before commencement of term. 1§  
'07 ch.1, 30 Jan.

38(4

### BONDS. SURETIES

- a **Mich.** Amdg. '05 ch.311 §1: state to pay premiums of surety company bonds of *certain* [any] state officers *charged with custody of funds but receiving no compensation therefor*. 1§  
'07 ch.143, 12 June
- b **Minn.** Amdg. R.L.'05 §4524 rel. to official bonds: to be double amount of penalty. 1§  
'07 ch.311, 23 Apr.
- c **Mon.** Official bond not void for defect in form, recital or condition. 1§  
'07 ch.193, 9 Mar.
- d **S. D.** Permitting sureties on official bonds running to state to limit liability. 1§  
'07 ch.79, 18 Feb.

38(4

## STATE DEPARTMENTS

38(5

### *Preference of veterans*

- a **Kan.** Amdg. G.S.'01 §6509, rel. to preferment' of veterans: minor amds. 2§ '07 ch.374, 8 Feb.
- b **Mich.** Amdg. '97 ch.205 §1, 2, 3 rel. to preferment of veterans for public employment. Adds §4. 4§ '07 ch.329, 28 June
- c **Minn.** Veteran of Civil War entitled to preference in appointment to public office, right enforceable by mandamus; may not be removed except for misconduct or incompetency after hearing, with right to certiorari. 2§ '07 ch.263, 19 Apr.
- d **N. J.** Veterans of any war of the U. S. not to be discharged from state or mun. service except for cause. 4§ '07 ch.14, 27 Mar.

38(6

### *Qualifications*

- a **Tex.** Defining nepotism as appointment by state officer to governmental position of relative by blood or marriage within 3d degree; penalty, fine and forfeiture. 7§ '07 ch.10, 21 Feb.

38(7

### *Reports*

- a **N. H.** Reports of state officers and bds. to close Aug. 31; to contain detailed financial statement. 2§ '07 ch.98, 2 Apr.

38(8

### *Salaries. Fees*

- a **Ala.** Legis. committee of 5 to investigate adequacy of salaries of state officers and employees. '07 p.77, 6 Feb.
- b **Ala.** Fixing compensation of state officers and employees. 16§ '07 p.130, 22 Feb.
- c **Cal.** Submitting amdt. to Const. 1879 art.5 §19: salary of Gov. \$10,000 [\$6000] Lieut. Gov. \$4000 [per diem of Speaker of Assembly]; Sec. of State, Comptroller, Treasurer, Surveyor Gen. \$5000 [\$3000]; Atty. Gen. \$6000; clerks in such offices not to exceed \$1800 [\$1600]. 1§. Vote Nov. 1908. '07 p.1364, 14 Mar.
- d **Col.** Salary of Sec. of State and of Auditor of State \$4000. 2§ '07 ch.179, 3 Apr.
- e **Col.** Submitting amdt. to Const. 1876 art.5 §30: salary of Gov. \$7500 [\$5000] and \$2500 [\$1500] for private sec.; of judge of Supreme Court \$7500 [\$5000]; of judge of District Court \$5000 [\$4000]. 4§. Vote Nov. 1908. '07 ch.133, 15 Apr.
- f **Ct.** Rel. to salaries of clerks in offices of Sec. of State, Treasurer and Comptroller. 2§ '07 ch.210, 11 July
- g **Del.** Prohibiting increase in compensation of state or county officer during incumbency unless duties be increased by Legis. 1§ '07 ch.78, 1 Mar.
- h **Del.** Regulating fees of certain public officers. Amds. R.C. ch.125 §12-15. 7§ '07 ch.246, 29 Mar.
- i **Id.** Fixing compensation of certain executive officers and justices. 2§ '07 p.465, 14 Mar.

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- j **Ill.** Amdg. '72 p.420 §1, increasing salaries of state officers: Gov. \$12,000 [\$6000]; Lieut. Gov. \$2500 [\$1000]; Sec. of State \$7500 [\$3500]; Auditor of Public Accounts \$7500 [\$3500]; Treasurer \$10,000 [\$3500]; Supt. of Public Instruction \$7500 [\$3500] and Atty. Gen. \$10,000 [\$3500]. 1§ '07 p.331, 4 June
- k **Ia.** Amdg. sundry sections of C. rel. to compensation of Sec. to Gov. and deputy state officers: \$1800 [\$1500]. 8§ '07 ch.2, 6 Apr.
- n **Ia.** Number and compensation of employees in state depts. 1§ '07 p.284, 10 Apr.
- p **Mass.** Salaries of Sec. of Commonwealth, Treasurer and Receiver Gen., Auditor of Accounts and Atty. Gen. to be \$5000; Commonwealth to pay premiums on bonds. 2§ '07 ch.276, 6 Apr.
- q **Mass.** Amdg. R.L.ch.10 §10: salary of messengers of sergeant at arms \$1200 [\$1100]. 2§ '07 ch.359, 3 May
- r **Nev.** Salaries of certain state employees. 2§ '07 ch.34, 5 Mar.
- s **N. C.** Compensation of dept. employees fixed; all fees to be paid into treasury. 11§ '07 ch.830, 8 Mar.  
§8, 9, 11 amended. '07 ch.989, 11 Mar.
- t **N. C.** All fees of state officers, except of Supreme Court, to be covered into treasury; salaries of certain state officers fixed. 2§ '07 ch.994, 11 Mar.
- u **Pa.** Joint legis. committee of 5 to investigate salaries and number of state employees and to prepare bill fixing each definitely; report by Apr. 10, 1907. '07 p.810, 20 Mar.
- v **Tex.** Amdg. Pen.C.'95 art.256: penalty for public officer collecting excessive fee 2 to 5 years; for presenting excessive charge \$25 to \$250. Adds art.256a. 2§ '07 ch.164, 23 Apr.
- w **U.** Amdg. R.S.'98 §2050,2583 rel. to salaries of certain state officers and duties of Bd. of Equalization. 2§ '07 ch.28, 11 Mar.
- x **Vt.** Amdg. '96 ch. 123 §6 rel. to sworn statement of expenses of state comrs. and members of bds. 1§ '06 ch.213, 18 Dec.
- y **Vt.** Supt. of state institutions to keep record of visits of trustees and bd. of penal institutions; latter to get \$4 per diem. Rep. '06 ch. 191 §3. 5§ '06 ch.195, 19 Dec.
- z **Wash.** Fees of state and county officers, witnesses and jurors. Rep. '93 ch.130. 11§ '07 ch.56, 2 Mar.
- za **Wash.** Fixing salary of Gov., Lieut. Gov., Sec. of State, Treasurer, Auditor, Atty. Gen., Supt. of Public Instruction, and Comr. of Public Lands. 3§ '07 ch.94, 9 Mar.
- zb **Wis.** Amdg. S.'98 §170 rel. to salaries of various state officers and their employees. 9§ '07 ch.643, 15 July

38(9)

## *Tenure of office. Discipline*

- a **Ari.** Amds. Pen.C.'01 §678 rel. to removal of civil officers. 1§ '07 ch.11, 5 Mar.

## STATE DEPARTMENTS

38(9)

- b **Ct.** Authorizing Gov. to remove on charges comrs. appointed by him or by him with consent of Senate; investigation by Atty. Gen.; procedure. 4§ '07 ch.197, 11 July
- c **Ind. Rep.** '03 ch.13 rel. to terms of office of certain officers; legalizes elections held under such act; reenacts laws repealed by such act. 4§ '07 ch.24, 19 Feb.
- d **Mo.** Amdg. R.S.'99 §8853-55 rel. to removal of *local* officers; *complaint; trial; appeal*. Adds §8853a, 8854a, 8855a. 6§ '07 (ex. sess.) p.367, 13 May
- e **N. Y.** Gov. may investigate any state dept. at any time. Adds executive law '92 ch.683 §7. 1§ '07 ch.539, 20 June
- f **N. Y.** State officer in investigation of conduct of subordinate may issue subpoenas for attendance of witnesses. Adds public officers law '92 ch.681 §40a. 1§ '07 ch. 545, 21 June
- g **Pa.** Referring to Legis. of 1909 amdt. to Const. 1874 of sundry articles and sections rel. to terms of office of various state and local officials; election days; state and mun. elections to be separate. 12§ '07 p.835
- h **U.** Amdg. R.S.'98 §4580 rel. to accusation and trial of public officer for misconduct. 1§ '07 ch. 4, 16 Feb.
- i **Vt.** Any public officer or member of comm. may be imprisoned 1 year or fined \$1000 for wilful neglect of duty. 3§ '06 ch.190, 14 Dec.

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### Governor

*See also* 782, Executive mansion; 852, Governor's contingent fund

- a **Mich.** Submitting to people question of direct nomination of Gov., Lieut. Gov. and U. S. Senators. Vote Sept. 1907. '07 p.526, 28 June  
Unconst. Not adopted by majority of Senate.  
Kelley v. Sec. of State 112 N. W. 978 (1907)
- b **N. Y.** Gov. may investigate any state dept. at any time. Adds executive law '92 ch.683 §7. 1§ '07 ch.539, 20 June

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### Salary

- a **Ark.** Amdg. S.'04 §7361: salary of Gov. \$4000 [\$3000]. 1§ '07 ch.151, 8 Apr.
- b **Kan.** Fixing fees for certain official acts of Gov. 1§ '07 ch. 205, 7 Mar.
- c **Minn.** Salary of Gov. \$7000. 2§ '07 ch.240, 18 Apr.
- d **N. H.** Amdg. P.S.ch.286 §1: salary of Gov. \$3000 [\$2000]. 1§ '07 ch.90, 26 Mar.
- e **N. C.** Allowing Gov. \$600 per annum traveling expenses. 2§ '07 ch.1009, 11 Mar.
- f **Tex.** Submitting amdt. to Const. 1876 art.4 §5,17: salary of Gov. \$8000 [\$4000], of Lieut. Gov. \$2500 [same as members of Senate]. 2§. Vote Nov. 1908. '07 p.417

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## 44 *Secretary. Clerks. Employees*

- a Ark. Amdg. S.'04 §7378: salary of sec. to Gov. for services as such and as Adjutant Gen. \$2200 [\$1600]. 2§ '07 ch.229, 27 Apr.
- b Kan. Amdg. '05 ch.488 §2 rel. to employees and salaries in Gov.'s office. 2§ '07 ch.206, 7 Mar.

## 45 *Veto*

- a Cal. Submitting amdt. to Const. 1879 art.4 §16: bills unsigned by Gov. at adjournment of Legis. may be signed in 30 [10] days. 1§. Vote Nov. 1908. '07 p.1370, 14 Mar.
- b Wis. Submitting amdt. to Const. 1848 art.5 §10: bills not returned by Gov. within 6 [3] days to become law; proviso. Vote Nov. 1908. '05 p.994; '07 ch.661, 16 July
- c Wis. Referring to next Legis. amdt. to Const. 1848 art.5 §10: bill not returned by Gov. in 6 [3] days to become law. '07 p.1281

## 46 *Appointments*

- a Ct. Amdg. '05 ch. 262 rel. to appointments by Gov. to fill vacancies. 2§ '07 ch.233, 27 July

## 48 *Lieutenant governor*

- a Tex. Submitting amdt. to Const. 1876 art.4 §5,17: salary of Gov. \$8000 [\$4000], of Lieut. Gov. \$2500 [same as members of Senate]. 2§. Vote Nov. 1908. '07 p.417

## 49 *Secretary of state*

- a Ala. State Auditor and Sec. of State may give surety company bonds; state to pay premiums not to exceed \$200. 2§ '07 p.525, 1 Aug.
- aa Cal. Amdg. P.C. §415, 420 rel. to assistants etc. in office of Sec. '07 ch.95, 6 Mar.
- b Cal. Amdg. P.C. §416 rel. to fees of Sec. of State: *copy of decree dissolving corp.* \$5; \$3500 [\$2500] of monthly receipts to be credited to State Library fund. 1§ '07 ch.281, 18 Mar.
- c Cal. Statistician in office of Sec. of State to perform special duties assigned; salary \$2400. Adds §419a to P.C. 1§ '07 ch.331, 19 Mar.
- d Del. Bond of Sec. of State \$10,000. 1§ '07 ch.90, 4 Mar.
- e Del. Amdg. R.S. ch.28 §8: Sec. of State to pay fees into treasury *1st week day of month* [promptly]. 1§ '07 ch. 91, 21 Mar.
- f Id. Amdg. C. §196 rel. to fees payable to Sec. of State. 2§ '07 p.215, 12 Mar.
- g Mich. Amdg. C.L.'97 §69, 98: salary of deputy to Sec. of State \$2500 [\$500], of deputy to Auditor Gen. \$2500 [\$700]. 2§ '07 ch.156, 17 June
- h Mo. Amdg. R.S.'99 §9697: salary of Sec. of State \$3000 [\$2500]; may not retain \$500 in fees. Rep. §9707. 2§ '07 p.421, 18 Mar.
- i Neb. Amdg. C.S.'05 §5905 rel. to fees of Sec. of State. 2§ '07 ch.139, 27 Mar.



# STATE DEPARTMENTS

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- j **N. H.** Amdg. P.S. ch.150 §18: report of Sec. of State to contain returns of corporation *and summary of other business of office.* 1§  
'07 ch.99, 2 Apr.
- k **N. Y.** Amdg. executive law '92 ch.683 §26 subdiv.4 rel. to fees of Sec. of State: certificate to be attached to paper; \$10 for certificate of consolidation of corporations. Adds §26 subdiv.17. 2§  
'07 ch.213, 25 Apr.
- n **Or.** Amdg. Ann.C.& S. §2923 rel. to fees of Sec. of State. 2§  
'07 ch.164, 25 Feb.
- p **S. D.** Amdg. '03 ch. 141 rel. to fees in office of Sec. of State. 2§  
'07 ch.149, 26 Feb.
- q **Tenn.** Joint legis. committee of 5 to investigate office of Sec. of State. '07 p.2193, 8 Feb.
- r **Tex.** Amdg. R.C.S.'95 art.2439 rel. to fees of Sec. of State. Adds art.2439a. 2§  
'07 (ex. sess.) ch.22, 16 May

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## Attorney general

- a **Ala.** Amdg. C.'96 §2030: Atty. Gen. may appoint Assistant Atty. Gen. in lieu of clerk; salary \$1500. 1§  
'07 p.113, 19 Feb.
- b **Ari.** Salary of Atty. Gen. \$2400, expenses not to exceed \$1000. 3§  
'07 ch.33, 14 Mar.
- c **Cal.** Amdg. P.C. §472, 475: additional assistant, clerk and stenographers for Atty. Gen.; bds. and officers may employ counsel with written consent of Atty. Gen. 3§  
'07 ch.72, 2 Mar.
- d **Del.** Salary of Atty. Gen. \$2500; may appoint 3 deputies. Rep. '05 ch.63. 3§  
'07 ch.93, 29 Mar.
- e **Mich.** Salary of chief law clerk to Atty. Gen. \$1800. 1§  
'07 ch.297, 27 June
- f **Mon.** Amdg. '01 p.96 rel. to assistants and stenographer in Atty. Gen.'s office. 4§  
'07 ch.13, 15 Feb.
- g **Mon.** Authorizing 3d assistant and additional stenographer. 1§  
'07 ch.83, 4 Mar.
- h **Neb.** County atty., sheriff, police judge, mayor, police officer, police comr. or other officer who wilfully fails to enforce any law may be removed by quo warranto proceedings instituted by Atty. Gen. at direction of Gov. 2§  
'07 ch.87, 3 Apr.
- i **Pa.** Gov. to appoint Assistant Deputy Atty. Gen.; salary \$3500; additional stenographer for Atty. Gen. 2§  
'07 ch.21, 21 Mar.
- j **S. D.** Submitting amdt. to Const. 1889 adding art.29: salary of Atty. Gen. same as of state officers enumerated in art.4 §12. 1§. Vote Nov. 1908.  
'07 ch.97
- k **S. D.** Atty. Gen. to be only legal adviser of Bd. of Railroad Comrs.; Gov. may appoint inspector to aid bd. in inspecting public warehouses and scales; salary \$100 per month during employment. 4§  
'07 ch.210, 5 Mar.
- n **Wis.** Amdg. S.'98 §131, 162 rel. to Atty. Gen.: special counsel; assistants; salaries. Adds S. '98 §170a. 4§  
'07 ch.500, 9 July

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- p **Wy.** Atty. Gen. to receive salary of \$3000 [\$2000]; to approve securities for investment of state funds and official bonds; to require county and prosecuting attys. to report semiannually as to estates subject to inheritance tax. Amds. R.S. '99 §97. 3§ '07 ch.19, 13 Feb.

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## State examiner

- a **Ala.** Amdg. C.'96 §1876: Gov. may allow Examiner of Public Accounts not to exceed \$2.50 per day for expenses while actually employed. 1§ '07 p.78, 7 Feb.
- b **Col.** Auditor to appoint Public Examiner, term 2 years, salary \$2500; uniform system of accounts in state and county offices; examination. 11§ '07 ch.204, 3 Apr.
- c **Minn.** Amdg. R.L.'05 §1589: Public Examiner to report to Gov. *biennially* [annually]. 1§ '07 ch. 128, 9 Apr.
- d **Minn.** Public Examiner to examine at request of county comrs. books of township, village and school district officers. 4§ '07 ch.344, 23 Apr.
- e **Minn.** Amdg. R.L.'05 §1588, 1590-91 rel. to salary of Public Examiner and number and salaries of his employees. 3§ '07 ch. 409, 25 Apr.
- f **Mon.** Amdg. P.C. §494-99 rel. to State Examiner: time of reports to; expenses; assistants; contributions by counties; fees of banking and loan companies; penalties; bond. 7§ '07 ch.149, 7 Mar.
- g **N. D.** Amdg. R.C.'05 §140 rel. to State Examiner: not to be employee of surety company. 1§ '07 ch.230, 19 Mar.

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## Officers and departments created, abolished or reorganized

Courts and court officers not included

The entries under this head are duplicated under the special subject to which they pertain. They are grouped here primarily for the use of the document librarian and the student of state administration.

- a **Ala.** Creating State Fish and Game Comr.; elected for 4 years; salary \$2500; fish and game regulations; county and deputy wardens; licenses. 48§ '07 p.81, 19 Feb.
- b **Ala.** Amdg. C.'96 §2030: Atty. Gen. may appoint Assistant Atty. Gen. in lieu of clerk; salary \$1500. 1§ '07 p.113, 19 Feb.
- c **Ala.** Creating Railroad Comn.: 3 members elected for 4 years; salary of president \$3500, of associates \$3000; annual report to Gov.; jurisdiction over common carriers except street railroads; to require adequate facilities and just rates; investigations; witnesses to testify under immunity; no injunction to restrain rate orders to issue except on filing bond to pay excess of charges where not sustained; foreign corp. bringing action in federal court rel. to reasonableness of rates, to lose license. 53§ '07 p.135, 23 Feb.

Amended rel. to definition of "transportation company" subject to the comn.: to include steamboat companies, terminal companies, and telegraph and telephone companies. 2§

'07 p.716, 9 Aug.

STATE DEPARTMENTS PERMANENT BOARDS

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- d Ala.** Creating Immigration Bd. to consist of Gov., Comr. of Agric. and Industries and Immigration Comr.; Gov. to appoint Immigration Comr. for 4 years, salary \$2400; to induce immigration by publication of resources; \$5000 annual appropriation. 13§  
'07 p.313, 4 Mar.
- e Ala.** Creating Inspector of Jails and Almshouses; appointed by Gov. for 4 years, salary \$2400; visitation; may compel giving of testimony; orders to be obeyed under penalty; report to be published in newspaper in county; inspection of cotton mills to ascertain sanitary conditions and ages of child employees; reports to Gov. 10§  
'07 p.335, 4 Mar.  
Amended rel. to office supplies for inspector. 1§  
'07 p.715, 13 Aug
- f Ala.** Providing for Bureau of Agric. Statistics in Dept. of Agric. and Industries; director appointed by Gov. for 4 years, no compensation; to publish weekly statistics of cotton ginned in state; msdr. for operator of ginnery to fail to furnish statistics. 5§ '07 p.278, 5 Mar.
- g Ala.** Creating a State Tax Comn.; 3 members, appointed by Gov. for 4 years; salary of chairman \$3000, of others \$2400; office of State Tax Comr. abolished; gen. control of assessment and collection of taxes. 17§  
'07 p.425, 7 Mar.
- h Ala.** Establishing State Livestock Sanitary Bd.; to consist of Comr. of Agric. and Industries, State Health Officer, Prof. of Animal Industry and Prof. of Veterinary Science of Ala. Polytechnic Institute; latter to be State Veterinarian; regulations for quarantine and importation of live stock and prevention of infectious diseases; annual reports to Gov. 15§  
'07 p.413, 12 Mar.
- ha Ala.** Creating Ala. Monument Comn. to consist of Gov., commanders of state divisions of Confederate Veterans and Sons of Confederate Veterans, Director of Dept. of Archives and History and 8 Confederate veterans appointed by Gov.; to act on matters in connection with marking battlefields and to have charge of erecting monuments to Ala. troops. 4§  
'07 p.549, 6 Aug.
- hb Ala.** Creating Bd. of Pharmacy; 3 members appointed by Gov., term 3 years; examination and registration of pharmacists; sale of poisons, narcotics etc.; license on itinerant vendors; penalties. Rep. C.'96 ch.89 and §5335. 17§  
'07 p.553, 6 Aug.
- hc Ala.** Comrs. of Agric. and Industries to appoint soil surveyors with approval of Gov.; to investigate soil conditions with view to betterment of crops; report to Gov.; maps; to attend agric. meetings and school and lecture on soils; to coöperate with U. S.; \$10,000 annually. 5§  
'07 p.587, 13 Aug.
- hd Ala.** Regulating practice of medicine; bd. of censors of Medical Association created State Bd. of Medical Examiners; examination and license; reciprocity with other states; miscellaneous provisions; penalty. 22§  
'07 p.591, 9 Aug.

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- i **Ari.** Creating Ari. Territorial Bd. of Examiners in Optometry to regulate practice thereof; 3 members appointed by Gov. for 4 years; \$5 per diem, 4c mileage to be paid from fees; report. 16§  
'07 ch.29, 14 Mar.
- j **Ari.** Creating Sheep Sanitary Comn.: 3 members, sheep owners, appointed by Gov. for 2 years; to protect goat and sheep interests. Rep. R.S. '01 §3052-57. 27§  
'07 ch.70, 21 Mar.
- k **Ari.** Creating Bd. of Examiners for examination of applicants for admission to the bar; 3 members, lawyers, appointed by Supreme Court for 3 years; \$10 per diem and expenses. Rep. R.S. '01 §391-98. 9§  
'07 ch.76, 21 Mar.
- n **Ark.** Amdg. '07 ch.149: name of Bd. of Railroad Comrs. changed to Railroad Comn. 5§  
'07 ch.338, 17 May
- p **Ark.** Gov. to appoint professor of geology at University of Ark. State Geologist; Geological Comn. to consist of Gov., President of University and Comr. of Mines; to coöperate with U. S. govt. in making survey of deposits of state; \$1800. 6§  
'07 ch.417, 28 May
- q **Cal.** Creating State Engineer, appointed by Gov. and Senate; term 4 years; salary \$4800; and Dept. of Engineering to consist of Gov., State Engineer, Gen. Supt. of State Hospitals and Chairman of State Bd. of Harbor Comrs. of San Francisco; supervision of all public works of state. Rep. '93 ch.228; '97 ch.114, 245, 272; '00 ch.12. 26§  
'07 ch.183, 11 Mar.
- qa **Cal.** Bd. of Medical Examiners appointed by Gov. for 2 years, 5 from State Medical Society, 2 homeopaths, 2 eclectics, 2 osteopaths; qualifications of candidates for licenses etc. 18§  
'07 ch.212, 14 Mar.
- qb **Cal.** Rep. P.C. §367 which constituted Gov., Lieut. Gov. and Sec. of State a Bd. of State Prison Directors and Lieut. Gov. warden of such prison. 1§  
'07 ch.314, 18 Mar.
- qc **Cal.** Rep. P.C. §349 rel. to election and term of State Printer. 1§  
'07 ch.316, 18 Mar.
- qd **Cal.** Establishing Bd. of Directors of State Prisons: 5 members appointed by Gov. and Senate; term 10 years; gen. supervision and visitation; annual report to Gov.; to appoint wardens; duties of wardens; prison regulations. Adds §1572-96 to Pen.C. 26§  
'07 ch.317, 18 Mar.
- qe **Cal.** Creating State Bd. of Sheep Comrs; to consist of State Veterinarian and 5 appointed by Gov. for 4 years; compensation \$600 and expenses; to inspect sheep and quarantine and dip those affected with scabies; annual report to Gov.; penalties. 16§  
'07 ch.495, 23 Mar.
- qf **Cal.** Creating Bd. of Examiners in Veterinary Medicine; 5 members appointed by Gov. for 4 years; qualifications of applicants for license; examinations; reciprocity with other states; appeal from Bd. to Gov.; exceptions; penalty. 12§  
'07 ch.501, 23 Mar.
- qg **Col.** Entomologist of Agric. College created State Entomologist; salary \$500; assistants; county inspectors; to prevent importation and spread of injurious insects and plant diseases; sale of insecticides regulated. Rep. '97 ch.55. 13§  
'07 ch.19, 9 Apr.

# STATE DEPARTMENTS PERMANENT BOARDS

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- qh Col. Creating State Geological Survey under State Geologist; advisory bd. composed of Gov., President of University, President of State School of Mines, President of State Agric. College; objects. 12§ '07 ch.78, 24 Apr.
- qi Col. Providing for State Parole Officer; appointed by Wardens of Penitentiary and Reformatory, confirmed by Comrs. thereof; salary \$1200. 3§ '07 ch.83, 17 Apr.
- qj Col. Establishing Industrial Workshop for Blind; under Bd. of Control of 3, appointed by Gov. and Senate for 2 years; to teach trades suitable to blind. 11§ '07 ch.108, 8 Apr.
- qk Col. Rep. '97 ch.2 which created state and local bds. of arbitration. 1§ '07 ch.109, 17 Apr.
- ql Col. Creating State Bank Comr.: appointed by Gov. and Senate; 3 years citizen of state, 5 years' experience; salary \$3600; gen. banking regulations. 39§ '07 ch.111, 13 Apr.
- qn Col. Auditor of State to be Inspector of Building and Loan Associations; articles of incorp. and semiannual report to be filed with him; annual inspection. 7§ '07 ch.113, 17 Apr.
- qp Col. Establishing Civil Service Comn. of 3; appointed by Gov. and Senate for 6 years; regulations; appointment from head of list; appointees removable only on charges; Denver and cities of 1st and 2d class may adopt. 25§ '07 ch.117, 30 Mar.
- qq Col. Creating Insurance Dept.; Gov. and Senate to appoint Comr. of Insurance for 2 years, salary \$3000; gen. insurance regulations. Rep. 17 acts. 74§ '07 ch.193, 1 Apr.
- qr Col. Creating State Comn. on Prison Labor to consist of Comrs. and Warden of Penitentiary, Warden of Reformatory, Sec. of Bd. of Charities and Corrections and Gov.; to regulate convict labor; regulations. 12§ '07 ch.201, 9 Apr.
- qs Col. Creating State Bd. of Accountancy; 3 members appointed by Gov. for 3 years at \$10 per diem; to examine and certify public accountants; reciprocity with other states. 17§ '07 ch.203, 27 Mar.
- qt Col. Auditor to appoint Public Examiner, term 2 years, salary \$2500; uniform system of accounts in state and county offices; examination. 11§ '07 ch.204, 3 Apr.
- qu Col. Creating State Railroad Comn. of 3, elected for 6 years, salary \$3000; to regulate common carriers; unreasonable rate; discriminations and rebates prohibited; reciprocal demurrage; equipment. 29§ '07 ch.208, 22 Mar.
- qv Col. Creating State Bd. of Pharmacy: 3 members appointed by Gov. for 6 years, \$5 per diem; examination and registration of pharmacists; record of sale of poisons. 20§ '07 ch.224, 18 Apr.
- qw Ct. Establishing State Bd. of Accountancy: 3 members, appointed by Gov. for 3 years; examination of certified public accountants; reciprocity with other states; penalty. 6§. '07 ch.202, 11 July
- qx Ct. Providing for female deputy factory inspector to look after welfare of female employees; \$5 per diem; Gov. to appoint Advisory Comn. of 3 women, for 6 years, to recommend appointees. 5§ '07 ch.241, 30 July

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- qy Ct. Amdg. '05 ch.134 §1-4, 11, 12: term of Dental Comrs. 5 [2] years; annual report to Gov.; employment of unlicensed assistants prohibited. 7§ '07 ch.249, 1 Aug.
- qz Del. Creating Collector of State Revenue; appointed by Gov.; term 4 years; salary \$1200; to investigate statements as to property subject to taxation filed with clerk of peace. 6§. '07 ch.112, 21 Mar.
- r Del. Constituting State Bd. of Agric. Bd. of Immigration Comrs.; Gov. member ex officio; to encourage immigration from foreign countries; report to Gov. annually; \$2500. 7§ '07 ch.116, 4 Apr.
- ra Del. Creating Bd. of Pharmacy of 5; appointed by Gov. for 5 years; examination and licensing regulations. 19§ '07 ch.140, 9 Apr.
- rb Del. Providing for instructor of adult indigent blind; appointed by associate judges for 1 year; salary \$1200; instruction at home. 5§ '07 ch.142, 9 Mar.
- rc Fla. Creating State Bd. of Pensions; to consist of Gov., Comptroller and Treasurer; schedule of pensions for Confederate veterans and their widows. 15§ '07 ch.5, 29 May
- rd Fla. Gov. to appoint State Geologist to make survey; salary \$2500; annual report to Gov.; regulations. 7§ '07 ch.86, 3 June
- re Ga. Increasing Railroad Comrs. from 3 to 5; office elective; term 6 years; extending jurisdiction to wharves, terminal, cotton compress, telephone, telegraph, street railway, gas and electrical companies; powers; enforcement of orders. 17§ '07 p.72, 23 Aug.
- rf Ga. Creating bank bureau in Treasury Dept.; Treasurer to be State Bank Examiner; report of banks; insolvency; annual report to Gov.; examinations; penalties. 34§ '07 p.85, 22 Aug.
- rg Ga. Creating Bd. of Examiners of Nurses: 5 members, appointed by Gov., term 3 years; examination and registration; unauthorized use of R.N. prohibited. 12§ '07 p.117, 22 Aug.
- rh Id. Creating Bd. of Osteopathic Examination and Registration; 5 members appointed by Gov., term 5 years; qualifications, examination and registration of candidates; penalty. 6§ '07 p.128, 5 Mar.
- ri Id. Creating State Bd. of Health to consist of Atty. Gen., State Engineer and 3 appointees; local bds. created; gen. supervision of health of public and in state institutions; registration of vital statistics. 34§ '07 p.182, 12 Mar.
- rj Id. Creating Comn. of Summer Normal Schools to consist of State Bd. of Education and principals of Lewiston and Albion Normal Schools; schools to be held at Boise, Pocatello and Coeur d'Alene; \$6000. 13§ '07 p.225, 12 Mar.
- rk Id. Creating Historical Society of State of Id. under bd. of trustees appointed by Gov.; acquisition of property of Historical Society of Id. Pioneers; librarian; duties; \$3500. 12§ '07 p.265, 12 Mar.
- rn Id. Amdg. '05 p.364 §2: *Dairy Food and Oil* [State Horticulture]. Inspector ex officio Sealer of Weights and Measures. 1§ '07 p.340, 13 Mar.

# STATE DEPARTMENTS PERMANENT BOARDS

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rp Id. Creating State Highway Comn. to consist of Gov., State Engineer and State Mining Inspector; to lease road for toll road where county fails to maintain. 21§ '07 p.466, 14 Mar.
- rq Id. Creating State Bd. of Textbook Comrs. to consist of Supt. of Public Instruction and 6 appointees of State Bd. of Education; term 6 years; to receive bids for supplying uniform textbooks in certain subjects at fixed prices. 14§ '07 p.476, 14 Mar.
- rr Id. Creating State Grain Comn.: 3 members appointed by Gov., term 2 years, \$5 per diem; to establish standard grade and regulate weighing and inspecting grain; form of warehouse receipt; coöperation with Or. and Wash. Adds '99 p.77 §8-19. 12§ '07 p.529, 15 Mar.
- rs Id. Reorganizing Bd. of Dental Examiners and regulations for practice of dentistry as prescribed by '99 p.387. 11§ '07 p. 547, 16 Mar.
- rt Id. Creating Id. State Bd. of Examiners in Optometry: 3 members appointed by Gov.; term 4 years; regulation of practice of optometry; examination and licensing of candidates; penalty. 18§ '07 p.574, 18 Mar.
- ru Ill. Creating separate Dept. of Factory Inspection; duties; salaries. Rep. '93 p.99 §9. 3§ '07 p.310, 3 June
- rv Ill. Creating State Bd. of Examiners of Registered Nurses, to consist of 5 members appointed by Gov. for 3 years. 12§ '07 p.383, 2 May
- rw Ill. Amdg. '99 §6-9, 18, 19: State Mining Bd. to be appointed by Gov. [formerly State Comrs. of Labor]; examinations for inspectors; for mine managers, hoisting engineers and mine examiners; minor amds. 6§ '07 p.387, 27 May
- rx Ill. Creates comn. for promotion of uniformity of legislation in U.S. consisting of 5 members, appointed by Gov. for 4 years; biennial report to Gov. 30 days before convening of Legis. 2§ '07 p.570, 3 June
- ry Ind. Creating State Bd. of Tax Comrs.; 3 members appointed by Gov. and Sec. of State and Auditor of State; term 4 years; salary \$3000; to assess certain properties. Rep. sundry laws. 7§ '07 ch.93, 2 Mar.
- rz Ind. Pure food and drug law; Chemist of State Bd. of Health to be State Food and Drug Comr.; salary \$2500. 12§ '07 ch.104, 4 Mar.
- s Ind. Creating Bd. of Comrs. of the Nancy Hanks Lincoln Burial Grounds; 3 members, 2 appointed by Gov., Sec. of State, Bd. of Forestry ex officio; term 4 years; to care for said burial ground; \$5000 for immediate improvements; \$500 annually. 5§ '07 ch.106, 5 Mar.
- sa Ind. Creating Legis. Reference Dept. in State Library; to collect data as to legislation, for use of Gen. Assembly; librarian appointed by State Librarian, salary \$1500; annual appropriation \$4000. 3§ '07 ch.147, 9 Mar.
- sb Ind. Creating State Entomologist; appointed by Gov. for 4 years, salary \$1500; to eradicate insect pests of trees; \$3500. 11§ '07 ch.177, 9 Mar.

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- sc** **Ind.** Auditor of State with approval of Gov. to appoint 4 bank examiners; term 2 years; salary \$2500; examinations; fees to be paid by banks. 6§ '07 ch.182, 9 Mar.
- sd** **Ind.** Creating Armory Bd. consisting of Gov., Adjutant Gen. and 5 members appointed by Gov., 3 to be officers of National Guard, for 4 years without compensation; to provide and care for armories; \$10,000. 11§ '07 ch.185, 9 Mar.
- se** **Ind.** Creating State Bd. of Registration and Examination in Optometry; 5 members, 4 optometrists and 1 oculist of 5 years' practice, not more than 3 of same political party; appointed by Gov. for 3 years, \$5 per diem. 19§ '07 ch.187, 9 Mar.
- sf** **Ind.** Gov., Auditor of State and Treasurer of State to constitute State Bd. of Finance; to supervise all funds received and in custody of state. 26§ '07 ch.222, 9 Mar.
- sg** **Ind.** State Bd. of Education constituted State Teachers' Training Bd.; to designate schools to be accredited in state system of normal instruction. 6§ '07 ch.239, 11 Mar.
- sh** **Ia.** Gov. and Senate to appoint Bd. of Parole of 3, term 6 years, at \$10 per diem; rules of parole. 21§ '07 ch.192, 2 Apr.
- si** **Kan.** Creating a State Entomological Comn.; powers; inspection of nursery stock; \$1000. 12§ '07 ch.386, 1 Mar.
- sj** **Kan.** Creating State Bd. of Embalming, to consist of 3 members appointed by the Gov., 1 retiring annually; powers. 17§ '07 ch.387, 12 Mar.
- sk** **Kan.** Creating State Bd. of Veterinary Registration and Examination, consisting of 3 members appointed by the Gov., 1 retiring each year; powers. 16§ '07 ch.388, 28 Feb.
- sm** **Me.** Gov. and Council to appoint State Historian to compile historical data of state and encourage publishing local histories and geographies and teaching of same in schools; town publishing and using in schools such work to receive not more than \$150. 5§ '07 ch.86, 20 Mar.
- sn** **Me.** Creating Comr. of Highways; appointed by Gov. and Council; term 4 years; salary \$2500. Rep. R.S. '03 ch.23 §99-105; '05 ch.146. 18§ '07 ch.112, 26 Mar.
- sp** **Me.** Providing for election of State Auditor; term 2 years; salary \$2500; must be accountant; duties. 10§ '07 ch.147, 26 Mar.
- sq** **Me.** Abolishing office of public binder; Gov. and Council to let out public binding on competitive bids. Rep. R.S. '03 ch.3 §32-34. 3§ '07 ch.176, 28 Mar.
- sr** **Mass.** Establishing Bd. of Boiler Rules; 5 members appointed by Gov. and Council; term 3 years; salary not over \$1000; to formulate rules for inspection of boilers by district police and inspectors of boiler insurance companies. 30§ '07 ch.465, 29 May
- ss** **Mass.** Comr. of Weights and Measures, appointed by Gov. and Council; term 3 years; salary \$2000; 4 inspectors at \$1200; to relieve Treasurer and Receiver Gen. of duties as to weights and measures; local sealers to report to Comr. annually in Nov. 6§ '07 ch.534, 19 June



# STATE DEPARTMENTS PERMANENT BOARDS

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- ss1 **Mich.** Comn. of 3, appointed by Gov., to erect statue of Stevens T. Mason, 1st Gov., at place of interment, Detroit; \$10,000. '07 p.506, 26 Mar.
- st **Mich.** State Game and Fish Warden to be known as State Game, Fish and Forestry Warden; to suppress forest fires; salary \$3000; abolishes chief fire warden. 3§ '07 ch.106, 22 May
- su **Mich.** Bacteriologist, appointed by State Bd. of Health, to conduct examinations for health and other officers. 5§ '07 ch.109, 22 May
- sv **Mich.** Reorganizing State Veterinary Bd.; unlawful to practise veterinary medicine without license. 14§ '07 ch.244, 27 June
- sw **Mich.** Gov. to appoint comn. of 3 to erect equestrian statue of Gen. George A. Custer at city of Monroe; \$25,000. 3§ '07 ch.296, 27 June
- sx **Mich.** Creating Railroad Comn.; 3 members, 1 of opposite political party, appointed by Gov. and Senate; term 6 years; salary \$3000; no jurisdiction of city railways; rates; discriminations; demurrage; procedure; enforcement of orders. 50§ '07 ch.312, 28 June
- sy **Mich.** Reorganizing State Bd. of Dental Examiners and rev. regulations for practice of dentistry. Rep. '83 ch.140. 12§ '07 ch.338, 28 June
- sz **Minn.** Creating Bd. of Examiners of Nurses: 5 members, appointed by Gov., 1 physician and 4 nurses; term 5 years; \$5 per diem; 10c mileage; registration and licensing of nurses. 16§ '07 ch.153, 12 Apr.
- t **Minn.** Gov. to appoint State Inspector of Apiaries; term 2 years; \$1000 for compensation and inspection; inspection of hives; sale of foul broods prohibited; penalties; annual report to Gov. 6§ '07 ch.160, 12 Apr.
- ta **Minn.** Gov. member of Forestry Bd.; terms of 3 members extended to 2 years. 2§ '07 ch.171, 12 Apr.
- tb **Minn.** Creating State Bd. of Immigration to consist of Gov., Auditor of State, Sec. of State and 2 others appointed by ex officio members for 2 years; to appoint Comr. of Immigration; to advertise resources of State, encourage immigration and coöperate with Land Comr. in disposal of public lands. 6§ '07 ch.267, 20 Apr.
- tc **Minn.** Establishing State Industrial School for Girls: Bd. of control to supervise construction; cottage plan; Gov. to appoint Bd. of Women Visitors of 5 annually; inspection and report; \$25,000. 11§ '07 ch.282, 22 Apr.
- td **Minn.** Bd. of Investment for school, university and other permanent trust funds to consist of Chief Justice of Supreme Court, President of Bd. of Regents, Gov., State Treasurer and State Auditor; last 3 to act rel. to loans to counties, municipalities etc.; otherwise unanimous vote required. 2§ '07 ch.340, 23 Apr.
- te **Minn.** Rel. to Bureau of Labor *Industries and Commerce*; duties extended to enforcement of compulsory education law, and condition of commerce and agric.; salaries of deputies and employees. Amds. R.L.'05 §1789, 1791-92, 1795-97. 10§ '07 ch.356, 23 Apr

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**tf Minn.** Creating Minn. Tax Comn.: 3 members appointed by Gov., term 6 years, salary \$4500; gen. supervision of state and local taxation. 18§ '07 ch.408, 25 Apr.
- tg Minn.** Providing for Clerk of Govt. Surveys in office of Sec. of State; salary \$1500; to have charge of records of office of U. S. surveyor gen. of state, now abolished. 2§ '07 ch.416, 25 Apr.
- th Minn.** Creating State Veterinary Examining Bd.: 5 members appointed by Gov. for 5 years; licenses; fees; penalties. 6§ '07 ch.419, 25 Apr.
- ti Minn.** Creating Stallion Registration Bd. to consist of professor of animal husbandry Minn. College of Agric., veterinarian of State Experiment Station, president of Minn. Horse Breeders' Association; to register pedigrees of public service stallions; license; regulations. 11§ '07 ch.436, 25 Apr.
- tj Minn.** Establishing State Bd. of Visitors for Public Institutions of 6; appointed by Gov.; latter ex officio member; term 6 years; bipartisan; report to Legis. every 2 years. 4§ '07 ch.441, 25 Apr.
- tk Minn.** Creating State Drainage Comn. to consist of Gov., State Auditor and Sec. of State; chief engineer; to drain lands and straighten streams; procedure. Rep.'05 ch.106. 34§ '07 ch.470, 26 Apr.
- tn Mo.** Amdg. R.S.'99 §4707-8: Mo. State Poultry Association created state bd.; 7 members appointed by Gov., term 2 years; annual report. Adds §4708a-d. 6§ '07 p.64, 7 Mar.
- tp Mo.** State Bd. of Agric. to appoint State Inspector of Apiaries at \$4 per diem; duties. 6§ '07 p.67, 8 Mar.
- tq Mo.** Amdg. '05 p.133 §1,2 rel. to Dairy and Food Comr. Adds §10-17. 10§ '07 p.246, 22 Mar.
- tr Mo.** Creating State Bd. of Horticulture to consist of 1 trustee from each of 6 designated districts; appointed by Gov. for 4 years; bipartisan; annual report to Gov. Rep. R.S.'99 §4705-6. 10§ '07 p.301, 7 Mar.
- ts Mo.** Amdg. R.S.'99 §10073-76, 10078-81, 10083-84 rel. to Bureau of Labor Statistics and Inspection of Factories, Mines and Workshops. 10§ '07 p.329, 19 Mar.
- tt Mo.** Creating Mo. Library Comn. to consist of Supt. of Schools, President of State University and 3 appointed by Gov. for 6 years; to advise local libraries, receive gifts, operate traveling libraries, and establish library courses in normal schools; annual report. 7§ '07 p.353, 20 Mar.
- tu Mo.** Creating State Highway Engineer; appointed by Bd. of Agric. for 4 years; salary \$2400; to aid in planning road on request of county and disseminate information as to best methods of construction. 10§ '07 p. 406, 19 Mar.
- tv Mon.** Submitting amdt. to Const. 1889 art.12 §14: Gov., State Auditor and State Treasurer to constitute State Depository Bd. 3§ Vote Nov. 1908. '07 ch.23, 6 Mar.
- tv Mon.** Establishing State Bureau of Vital Statistics under Sec. of Bd. of Health; registration of births and deaths; burial permits; physicians, midwives and undertakers to be registered; penalties. 19§ '07 ch.25, 20 Feb.

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- tx Mon.** Establishing Bd. of Railroad Comrs.; 3 members named, successors to be selected at polls; term 6 years; salary \$4000; to fix rates; schedules; gen. regulation; enforcement of orders; Gov. may suspend comr. and make temporary appointment. 37§  
'07 ch.37, 26 Feb.
- ty Mon.** Establishing State Bd. of Health to consist of Gov., Atty. Gen., State Veterinarian, Sec. of Bd. and 3 appointees of Gov. and Senate; term 4 years; \$5 per diem; Sec. executive officer, salary \$3000; powers; local bds. and officers. Rep. '01 p.80. 39§  
'07 ch.110, 6 Mar.
- tz Mon.** Creating State Textbook Comn.: 5 members appointed by Gov. for 5 years; to adopt uniform textbooks for public schools. 15§  
'07 ch.132, 7 Mar.
- u Mon.** Creating Mon. State Bd. of Examiners in Optometry, and regulating practice of optometry. 15§  
'07 ch.138, 7 Mar.
- ua Mon.** Creating State Game and Fire Warden ex officio Fire Warden; to serve with regular deputies without additional pay; to protect timber under regulations of Bd. of Land Comrs. 3§  
'07 ch.147, 7 Mar.
- ub Mon.** Establishing State Live Stock Sanitary Bd. to consist of presidents of Bds. of Stock Comrs., of Sheep Comrs. and of Health; State Veterinary Surgeon to be sec. and chief executive sanitary officer; prevention and suppression of contagious diseases. 19§  
'07 ch.152, 7 Mar.
- uc Mon.** Amdg. P.C. §3000, 3013 rel. to State Veterinary Surgeon: term 4 [2] years; salary \$3000 [\$2500]; qualifications. 3§  
'07 ch.160, 7 Mar.
- ud Mon.** Gov., Sec. of State and State Auditor to constitute Bd. of Voting Machine Comrs.; to inspect voting machines; requirements; permissive use; method of voting. 17§  
'07 ch.168, 8 Mar.
- ue Mon.** Creating Mon. State Fish Comn. to consist of State Game Warden and 2 appointees of Gov.; term 4 years; to erect hatchery; distribution of fish. 10§  
'07 ch.176, 8 Mar.
- uf Mon.** Rel. to banks: duties of Auditor transferred to State Examiner under title of State Bank Examiner; required reserves; loans limited; liability of stockholders; taxation; penalty. Rep. P.C. §4061. 8§  
'07 ch.190, 9 Mar.
- ug Neb.** Gov. to appoint State Bd. of Examiners in Optometry, of 3 members; duties. 8§  
'07 ch.85, 27 Mar.
- uh Nev.** Supreme Court may appoint official reporter; salary \$1500. 2§  
'07 ch.10, 13 Feb.
- ui Nev.** Creating State Engineer: appointed by Gov.; salary \$2400; gen. supervision of irrigation; further duties of State Bd. of Irrigation; regulations for use of water. Rep. '03 ch.4; '05 ch.46. 33§  
'07 ch.18, 26 Feb.
- uj Nev.** Constituting Atty. Gen. Mineral Land Comr.; to contest applications for patents of public lands, except mining claims, containing valuable minerals. 7§  
'07 ch.20, 26 Feb.

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**uk Nev.** Creating Railroad Comn.: 3 members appointed by Gov., Lieut. Gov. and Atty. Gen.; term 3 years; 1 to devote entire time, salary \$5000; others \$2500; supervision of railroad, telegraph and telephone companies; rates; service. 38§ '07 ch.44, 5 Mar.
- un Nev.** Creating State Textbook Comn.: to consist of State Bd. of Education and 4 principals or supts. of schools appointed by Gov.; latter ex officio; to secure uniformity of textbooks; contracts for furnishing; depositories. 15§ '07 ch.112, 22 Mar.
- uo Nev.** Gov., Sec. of State and State Treasurer may employ clerks, and typists; compensation. 4§ '07 ch.45, 6 Mar.
- up Nev.** Gov., Sec. of State and State Treasurer to constitute Bd. of Bank Comrs.; to appoint bank examiner for 4 years, salary \$2750; inspection; bank to be licensed; examiner to assume control of insolvent bank; use of word "bank" prohibited unless authorized. 14§ '07 ch.119, 26 Mar.
- uq Nev.** Creating State Bd. of Sheep Comrs.: 3 members appointed by Gov.; term 4 years; salary \$2500; annual report to Gov.; inspection; quarantine; dipping. 18§ '07 ch.120, 26 Mar.
- ur Nev.** Creating State Auditor: appointed by Gov. for 4 years; salary \$2400; to examine books of state, county and township officers; to keep records open for inspection. 6§ '07 ch.123, 26 Mar.
- us Nev.** Creating State Industrial and Publicity Comn.: 3 members appointed by Gov.; term 4 years; chairman to receive salary of \$2500; advisory committee to consist of 2 persons from each county; to advertise resources and attractions of state; semiannual report. 11§ '07 ch.185, 29 Mar.
- ut N. H.** State Bd. of Nurses' Examiners chosen by Regent of Bd. of Medical Examiners; term 5 years; to license registered nurses and inspect nurses' training schools. 5§ '07 ch.50, 7 Mar.
- uu N. J.** Creating State Prison School Bd. to consist of principal keeper, 2 members of Bd. of Inspectors, and moral instructors of prison; to establish school in State Prison; courses; teachers; report to Bd. of Inspectors. 8§ '07 ch.65, 15 Apr.
- uv N. J.** Creating Bd. of Railroad Comrs.; 3 members appointed by Gov. and Senate for 6 years; salary \$5000; gen. supervision of railroads. 11§ '07 ch.197, 15 May
- uw N. J.** Establishing State Water Supply Comn.: 5 members appointed by Gov. and Senate for 5 years, salary \$2500; supervision of potable waters; plans for supplying water to be approved by comn.; may require annual report from water corporations; tax on water diverted in excess of 100 gallons per capita; annual report. 10§ '07 ch.252, 17 June
- ux N. J.** Gov. and Senate to appoint Bd. of Fish and Game Comrs. of 4, term 4 years; present comrs. abolished. 2§ '07 ch.259, 25 Sept.
- uy N. J.** State Bd. of Voting Machine Comrs. abolished; duties devolved on Sec. of State. 2§ '07 ch.268, 12 Oct.

# STATE DEPARTMENTS PERMANENT BOARDS

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- uz **N. M.** Establishing Bd. of Health and Medical Examiners; 7 physicians of 5 years residence, appointed by Gov. for 4 years; to license physicians on examination; regulation; fee; penalties. Rep. '03 ch.40. 12§ '07 ch.34, 16 Mar.
- v **N. M.** Creating Bd. of Water Comrs.; 3 members appointed by Gov. and Council for 4 years; to determine appeals from Territorial Engineer. Rep. '05 ch.102. 73§ '07 ch.49, 19 Mar.
- va **N. M.** Creating Territorial Engineer; appointed by Gov. and Council for 4 years; salary \$2000; to supervise use of waters; regulations as to securing water rights. Rep. '05 ch.102. 73§ '07 ch.49, 19 Mar.
- vb **N. M.** Creating Armory Bd. of Control in Santa Fe, Roswell, Silver City and Las Cruces to consist of Adjutant Gen. and 4 local commissioned officers designated by Gov.; to supervise erection and administration of armories; bond issue. 10§ '07 ch.55, 20 Mar.
- vc **N. M.** Rev. school laws; Bd. of Education reorganized; Supt of Public Instruction; duties; schedule of laws repealed and amended. 31§ '07 ch.97, 21 Mar.
- vd **N. M.** Creating Comr. of Public Lands; to have charge of land office; regulations for lease, sale and management; disposition of funds. Rep. '99 ch.74; '01 ch.69; '03 ch.78, 81; '05 ch.90, 111. 40§ '07 ch.104, 21 Mar.
- ve **N. Y.** State Bd. of Medical Examiners of 9, appointed by Regents for 3 years, to replace separate State, Homeopathic and Eclectic Bds.; requirements for admission to examination; osteopaths to be licensed, on 4 year course after 1910; subjects of examination; registry of license with county clerk; reciprocity with states requiring equivalent education; exceptions; penalties. Rep. public health law '93 ch.661 art.8. 16§ '07 ch.344, 13 May
- vf **N. Y.** Amdg. state charities law '96 ch.546 §3 rel. to membership of state bd. 1§ '07 ch.380, 28 May
- vg **N. Y.** Reorganizing State Comn. of Prisons: 7 members appointed by Gov. and Senate; term 4 years; \$10 per diem; visitation and inspection; annual report to Legis.; reports of wardens etc. to comn.; enforcement of rights and powers. Rep. '95 ch.1026; '96 ch.430; '01 ch.12. 16§ '07 ch.381, 28 May
- vh **N. Y.** Establishing 2 Public Service Comns., 1 for city of New York, 1 for rest of state, of 5 members each; appointed by Gov. and Senate; term 5 years; salary \$15,000; gen. control of railroads, street railways, express, car, sleeping car, freight, gas and electrical companies; practice before comn.; immunity of witnesses; service and charges of such corporations; discriminations; publication of schedules; passes prohibited; investigation of accidents; uniform system of accounts; transfer of franchises; stock, bonds etc.; inspection of meters; summary proceedings; reports of corp.; annual report of comn. to Legis.; penalties. Rep. sundry laws and abolishes Railroad, Gas and Electricity, and Rapid Transit Comns. 78§ '07 ch.429, 6 June

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- vi N. Y. Establishing State Probation Comn. to consist of 4 appointees of Gov., term 4 years, and 1 member from each of State Bd. of Charities and State Comn. of Prisons, and Comr. of Education; gen. supervision of probation officers. 2§ '07 ch.430, 6 June
- vj N. Y. Amdg. R.S. pt.4 ch.3 t.2 §75, 76: Bd. of Parole for State Prisons created; to consist of Supt. of Prisons and 2 appointees of Gov. and Senate; term 5 years, \$10 per diem; system of parole. 2§ '07 ch.467, 19 June
- vk N. Y. Amdg. labor law '07 ch.415 §30-37, 40-42, 60-63, 67-68, 140-48 rel. to organization of Dept. of Labor. 23§ '07 ch.505, 15 June
- vn N. Y. Creating Bronx Parkway Comn.; 3 members appointed by Gov. for 5 years, salary \$2500; to acquire and preserve lands along Bronx river; cost to be apportioned  $\frac{3}{4}$  to city of New York and  $\frac{1}{4}$  to Westchester county. 20§ '07 ch.594, 17 July
- vp N. C. Establishing State Bd. of Equalization to consist of Gov., Lieut. Gov., Auditor, Sec. of State, Treasurer, Atty. Gen. and chairman of Corp. Comn.; equalize assmt. of real estate; methods. 12§ '07 ch.261, 9 Mar.
- vq N. C. Establishing Bd. of Comrs. of Navigation and Pilotage for Cape Fear river; 5 members appointed by Gov. for 4 years; to appoint harbor master annually and license pilots; regulations as to pilotage. 18§ '07 ch.625, 6 Mar.
- vr N. C. Constituting Gov., Atty. Gen. and Auditor, State Bd. of Pensions; to examine claims and regulate granting of Confederate pensions. 21§ '07 ch.674, 8 Mar.
- vs N. C. Term of State Historical Comrs. 6 years; comn. to collect data and edit and publish same; to mark places of historic interest; public documents may be turned over to it for preservation; \$5000. Amds. Revisal '05 ch.96. 6§ '07 ch.714, 8 Mar.
- vt N. C. Creating State Bd. of Osteopathic Examination and Registration; 5 practitioners appointed by Gov., terms 5 years; applicants for examination to have high school education and 3 years in osteopathic college; subjects of examination; reciprocity with other states; penalty. 9§ '07 ch.764, 8 Mar.
- vu N. C. Creating Fish Comr., appointed by Gov. for 4 years, salary \$900; to enforce laws rel. to fin fish; under supervision of Geological and Economic Survey Bd.; net licenses; counties excepted. 15§ '07 ch.977, 11 Mar.
- vv N. D. Amdg. R.C.'05 §7608-9: State Engineer to be State Coal Mine Inspector; duties. 2§ '07 ch.52, 14 Mar.
- vw N. D. Gov. to appoint Inspector of Hotels; salary \$1800; term 2 years; regulations as to fire escapes and extinguishers, elevator shafts and sanitation; inspection fee; penalty. 16§ '07 ch.135, 15 Mar.
- vx N. D. Establishing State Live Stock Sanitary Bd.: 5 members appointed by Gov. for 5 years; \$3 per diem; employees; destruction of diseased animals; experts; annual report to Gov.; \$7500 annually; penalty. 21§ '07 ch.169, 15 Mar.

# STATE DEPARTMENTS PERMANENT BOARDS

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- vy** N. D. Gov., Adjutant Gen. and colonel of regiment to constitute Bd. of Armory Supervisors; to select sites, approve plans, supervise construction and audit bills for armories, transfer of armory on muster out; mortgaging armory to state. Rep. R.C. '05 §1789-93. 6§  
'07 ch.174, 4 Mar.
- vz** N. D. State Bd. of Pharmacy increased from 3 to 5; regulations for practice of pharmacy revised. 33§ '07 ch.182, 15 Mar.
- w** N. D. Creating Enforcement Comr.: atty. appointed by Gov. for period deemed necessary by Gov.; salary \$2000; to enforce laws against manufacture and sale of intoxicating liquors. Rep. R.C. '05 §9395. 13§  
'07 ch.187, 13 Mar.  
Declared unconst. Const. requires state's attys. to be elective.  
Ex parte Corliss 114 N. W. 962 (1907)
- wa** N. D. President of N. D. Library Association, Supt. of Public Instruction, and person appointed by Gov. and Senate for 2 years to constitute State Library Comn.; traveling libraries; assistance to free public libraries; to establish legis. reference bureau. 10§  
'07 ch.243, 2 Mar.
- wb** N. D. Establishing State Bureau of Vital Statistics under supervision of State Bd. of Health; registration of births and deaths; duties of local authorities. 25§ '07 ch.270, 19 Mar.
- wc** N. D. Rep. R.C.'05 §396-99: State Weather Bureau abolished. 1§  
'07 ch.273, 7 Mar.
- wd** Or. Creating Bd. of Trustees of A. R. Burbank Trust Fund to consist of Gov., Sec. of State and State Treasurer; to receive gifts and manage fund for use of orphans' home at Salem or Portland. 2§  
'07 ch.39, 16 Feb.
- we** Or. Creating Railroad Comn.; 3 members appointed by Gov., Sec. of State and Treasurer; 1 at large to be elected after 1910; 1 from each congressional district to be elected after 1908 from district; 4 years, salary \$4000; to regulate transportation and commerce; \$35,000. 63§  
'07 ch.53, 18 Feb.
- wf** Or. Gov.; with consent of court, to appoint 2 comrs. of Supreme Court to help relieve congestion of calendar; 2 years; salary same as judges. 2§ '07 ch.88, 21 Feb.
- wg** Or. Bd. of Portage Railway Comrs. to consist of 3 *members appointed by Gov.* [Gov., Sec. of State and State Treasurer]; no compensation; method of audit. Amds. '03 p.108 §1. 4§ '07 ch.104, 23 Feb.
- wh** Or. Creating Bd. of Comrs. of and incorporating Port of Columbia; 5 members appointed by Gov., vacancies to be filled by Legis.; to promote shipping and commercial interests. Rep. Ann. C.& S. §3991-4029. 23§  
'07 ch.113, 23 Feb.
- wi** Or. Gov. to be Land Comr., to select lands allotted state by U. S.; creating State Land Agent to ascertain and satisfy land losses through U. S.; classification of state lands; Gov., Sec. of State and State Treasurer to constitute State Land Bd. to sell and lease state lands. Rep. Ann. C.& S. §3294-3330, '03 p.21, '05 p.214. 51§  
'07 ch.117, 23 Feb.

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wj Or. Creating State Bd. of Forestry to consist of Gov., Sec. of State, Forest, Fish and Game Warden, member of Oregon Agric. College in charge of forest work, and 3 electors appointed by Gov. on recommendation; to investigate forest conditions and report to next Legis.; to supervise matters pertaining to forestry; fire wardens; rules regulating kindling fires in forests; penalties. Rep. '05 ch.227. 15§ '07 ch.131, 23 Feb.
- wk Or. Gov., Sec. of State and State Treasurer to constitute Bd. of Bank Examiners; to appoint Bank Examiner, term 4 years, salary \$3000; regulations for establishing and conducting banking business; penalties. 44§ '07 ch.138, 25 Feb.
- wl Or. Creating Bd. of Regents of Normal Schools; 9 members, consisting of Bd. of Education and 6 appointed by Gov.; terms of latter 6 years; to provide for control of normal schools by 1 bd. Rep. Ann. C.& S. §3471-89, 3401-3500, 3502-7. 16§ '07 ch.189, 25 Feb.
- wm Or. Creating Bd. of Sheep Comrs.; 3 members appointed by Gov. and Senate for 3 years; to appoint State Sheep Inspector, term 2 years, salary \$2000; to suppress infectious and contagious diseases of sheep. 31§ '07 ch.223, 25 Feb.
- wn Or. Adding osteopath to State Bd. of Medical Examiners; appointed by Gov. for 5 years; provides for licensing of osteopaths. 8§ '07 ch.235, 26 Feb.
- wo Pa. Dental Council to consist of Sec. of Internal Affairs, Comr. of Health, Supt. of Public Instruction, President of State Dental Society, Sec. of Bd. of Dental Examiners; to license applicants to practise; qualifications of candidates; Bd. of Dental Examiners of 6; term 3 years; appointed by Gov. from nominees of State Dental Society; subjects for examination; registry of license; penalty. 9§ '07 ch.127, 7 May
- wp Pa. Creating Supt. of Public Grounds and Buildings and abolishing present office; appointed by Gov. and Senate for 4 years; salary \$5000; duties. 7§ '07 ch.248, 31 May
- wq Pa. Creating Railroad Comn. of 3; appointed by Gov. and Senate; term 5 years; salary \$8000; to investigate common carriers, make recommendations and report violations of law to Atty. Gen. and Sec. of Internal Affairs. 25§ '07 ch.250, 31 May
- wr Pa. Providing for Deputy State Veterinarian; appointed by Gov. for 4 years; salary \$2100. 1§ '07 ch.195, 25 May
- ws Pa. Amdg. '03 ch.135 §6 rel. to Advisory Comn. of Public Records; 7 [5] members. 1§ '07 ch.316, 8 June
- wt Pa. Establishing Bd. of Comrs. of Navigation for Delaware river, 5 members from cities of Philadelphia, Bristol and Chester; jurisdiction over vessels, docks, bulkheads and basins. 17§ '07 ch.322, 8 June
- wu Pa. Abolishing Bd. of Port Wardens for port of Philadelphia, Harbor Master and Master Warden, and transferring property of same to Comrs. of Navigation for Delaware river. 3§ '07 ch.323, 8 June



# STATE DEPARTMENTS PERMANENT BOARDS

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- wv** R. I. Harbor Comrs. may appoint sec. who may be one of  
bd.; salary \$3000. 1§ '07 ch.1452, 19 Apr.
- ww** S. C. Creating Dispensary Auditor to examine dispensaries and  
liquor manufacturing establishments; appointed by Gov. for 4 years;  
\$2000 and expenses; report to State and County Treasurers every 3  
months. 49§ '07 ch.226, 16 Feb.
- wx** S. C. State Bd. of Education to be State High School Bd.; to  
apportion state money according to length of courses, studies offered,  
number of pupils and industrial training. 10§ '07 ch.245, 19 Feb.
- wy** S. C. Creating Comn. on State House and Grounds: 3 members  
appointed by Gov. for 2 years without compensation; to beautify  
grounds and repair walks about State House; \$15,000 appropriation.  
11§ '07 ch.250, 18 Feb.
- wz** S. C. Comn. to disburse annual appropriation of \$3500 for ac-  
commodation of needy Confederate veterans at annual reunion; Com-  
mander, Quartermaster Gen. and 1 member of organization appointed  
by Gov. 3§ '07 ch.258, 20 Feb.
- x** S. D. Creating State Bd. of Agric.; 5 members, appointed by  
Gov. for 2 years; \$3 per diem; sec. appointed by Gov. for 2 years,  
salary \$1500, ex officio Comr. of Immigration; duties; annual report  
to Gov. Rep. P.C. §158-70. 21§ '07 ch.76, 9 Mar.
- xa** S. D. Creating Food and Dairy Comr.; appointed by Gov. for  
2 years, salary \$1600; to enforce pure food law; adulterations and mis-  
branding defined. Rep. P.C. ch.27 art.8, 10. 46§ '07 ch.151, 11 Mar.
- xb** S. D. Creating Hotel Inspector; appointed by Gov. for 2 years;  
fees; rules for protection in case of fire; plumbing; penalties. 17§  
'07 ch.165, 25 Feb.
- xc** S. D. Creating State Engineer; appointed by Gov. for 6 years,  
salary \$2000; to make regulations for acquiring and use of water  
rights; 3 water divisions each under comr. appointed by Gov. for 6  
years; \$5 per diem; Water Comrs. and State Engineer to form Bd. of  
Water Comrs. to apportion waters; various regulations as to water  
rights. 60§ '07 ch.180, 7 Mar.
- xd** S. D. Gov., Sec. of State and State Treasurer to compose  
State Printing Comn.; public printing classified; bids; maximum rates;  
distribution; Gov. to appoint State Printer at \$150 per month while  
employed to superintend. Rep. P.C. §31-51, 55, 58, 59. 29§  
'07 ch.205, 11 Mar.
- xe** S. D. Creating Bd. of Telephone Comrs. to consist of State  
Treasurer, State Auditor and 1 member appointed by Gov. for 2  
years with salary of \$1200; may fix maximum rates and compel con-  
nection between companies; schedules of property to be filed with  
comn.; discriminations prohibited; penalties. 14§ '07 ch.239, 3 Mar.
- xf** Tenn. Creating bd. to examine and license optometrists; 3  
members appointed by Gov.; term 6 years; \$6 per diem; regulations;  
penalty. 9§ '07 ch.39, 12 Feb.

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- xg Tenn.** Creating State Bd. of Elections: 3 members appointed by Gov. and Senate, but 2 of same political party; term 2 years; salary \$300; to appoint county bds. and issue commissions to comrs. 11§ '07 ch.435, 12 Apr.
- xh Tenn.** Creating Dept. of Immigration; advisory comn. of 10, appointed by Gov.; Comr. of Agric. to perform duties of dept. without additional compensation; annual report; methods of inducing immigration. 9§ '07 ch.469, 15 Apr.
- xi Tenn.** Creating State Highway Comr.: appointed by Gov.; term 2 years; salary \$2500; 2 assistants; regulations as to construction; county bds.; letting contracts; apportionment of funds among counties according to area; \$500,000 annually. 18§ '07 ch.560, 15 Apr.
- xj Tex.** Creating Bd. of State Accounting to consist of Gov., Sec. of State and chairman of Railroad Comn.; to investigate methods of bookkeeping etc. in state depts. and institutions and instal more adequate and uniform systems. 5§ '07 ch.31, 20 Mar.
- xk Tex.** Creating San Jacinto State Park Comrs.: appointed by Gov., term 2 years; to enlarge, beautify and preserve such park; \$25,000. 10§ '07 ch.48, 28 Mar.
- xn Tex.** Creating Anatomical Bd. to consist of professors of anatomy and surgery of incorporated medical schools; to superintend distribution and dissection of unclaimed human bodies; regulations. 10§ '07 ch.53, 3 Apr.
- xp Tex.** Creating Comr. of Agric.; elected for 2 years, salary \$2500; duties; annual report to Gov.; Dept. of Agric., Insurance, Statistics and History to be known as Dept. of Insurance and Banking, certain duties being transferred to Comr. of Agric. 17§ '07 ch.59, 4 Apr.
- xq Tex.** Constituting Gov., Comptroller of Public Accounts and Treasurer, bd. to calculate ad valorem taxes for state purposes; method. 4§ '07 ch.98, 15 Apr.  
Amended. 5§ '07 (ex. sess.) ch.13, 16 May
- xr Tex.** Establishing Bd. of Medical Examiners; 11 members, appointed by Gov. for 2 years; qualifications of applicants; subjects of examination; penalties. 17§ '07 ch.123, 17 Apr.
- xs Tex.** Title of Fish and Oyster Comr. changed to Game, Fish and Oyster Comr.; \$700 additional salary; to enforce game laws; deputies; nonresident hunting license \$15. 14§ '07 ch.137, 18 Apr.
- xt Tex.** Creating Bd. of Barber Examiners; 3 members appointed by Gov. for 2 years, \$3 per diem; to examine and license barbers in towns of over 1000; fees \$2; penalty. 14§ '07 ch.141, 18 Apr.
- xu Tex.** Creating Bureau of Cotton Statistics in Dept. of Agric.; ginner required to report monthly number of bales ginned; method of making reports public; penalties. 9§ '07 ch.167, 23 Apr.
- xv Tex.** Creating State Mining Bd. of 7 appointed by Gov. for 2 years, \$5 per diem; to nominate to Gov. State Mine Inspector and receive reports of latter; salary of inspector \$1500; coal mine regulations. 21§ '07 ch.178, 30 Apr.

# STATE DEPARTMENTS PERMANENT BOARDS

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- xw** **Tex.** Establishing Tex. Bd. of Pharmacy: 5 members appointed by Gov. for 2 years; not to exceed \$5 per diem; none but licensed pharmacists to sell drugs; examination. 15§ '07 ch.186, 5 Apr.
- xx** **Tex.** Gov., Supt. of Public Instruction and 5 appointees of Gov. to constitute Text Book Bd.; to adopt uniform system of textbooks in certain subjects; bids; contracts; depositories for sale of books. 13§ '07 (ex. sess.) ch.9, 14 May
- xy** **U.** Creating Bd. of Comrs. for Promotion of Uniformity of Legislation in U. S.: 3 members, appointed by Gov. and Senate, term of 2 years; to act with similar bds. of other states. 5§ '07 ch.36, 13 Mar.
- xz** **U.** Creating State School Committee to consist of Supt. of Public Instruction, Principals of State Normal School and State Normal Training School, and 2 county supts. appointed by State Bd. of Education; to prescribe course of study for schools outside of cities of 1st and 2d class. 2§ '07 ch.57, 14 Mar.
- y** **U.** Creating State Bd. of Examiners in Optometry: 3 members appointed by Gov. and Senate; term 2 years; examination and license; annual renewal certificate; exceptions; penalty. 13§ '07 ch.85, 14 Mar.
- ya** **U.** Creating State Bd. of Accountancy: 3 members appointed by Gov.; term 4 years; subjects of examination; certificate to be renewed annually; penalty for unauthorized use of C. P. A. 4§ '07 ch.86, 14 Mar.
- yb** **U.** Creating State Bd. of Veterinary Medical Examiners: 3 members, appointed by Gov., term 3 years, \$3 per diem and expenses; applicants' qualifications; examination; exceptions. 15§ '07 ch.122, 23 Mar.
- yc** **U.** Creating State Bd. of Horse Comrs. to consist of Veterinarian and animal husbandman of Agric. College and Experiment Station; license for grade stallion pedigrees; lien for services. 13§ '07 ch.126, 23 Mar.
- yd** **U.** State Auditor created Comr. of Bureau of Statistics; present office of comr. abolished. Amds. '01 ch.55 §1; rep. §4. 4§ '07 ch.131, 23 Mar.
- ye** **Vt.** Creating Bd. of Trustees of Permanent School Fund to consist of Gov., Lieut. Gov., Treasurer and Supt. of Education, ex officio, and 3 members appointed by Gov. biennially. Rep. S. §737-44, 749-51, 753, and '04 ch.42; amds. §740. 18§ '06 ch.54, 14 Dec.
- yf** **Vt.** Creating Highway Comn. under charge of Highway Comrs.; appointed by Gov. and Senate for 2 years; salary \$1800; to have gen. charge of highway improvement and disburse annual appropriation of \$50,000. 16§ '06 ch.111, 22 Nov.
- yg** **Vt.** Creating Bd. of Railroad Comrs.; to consist of 3 members appointed by Gov. and Senate for 6 years; salary \$1200, chairman \$1500; biennial report. Rep. S. ch.172. 29§ '06 ch.126, 14 Dec.
- yh** **Vt.** Creating office of Cattle Comr.; Gov. to appoint for 2 years; \$4 per diem; supervision of diseased cattle; report. Rep. '02 ch.85, '04 ch.146. 7§ '06 ch.178, 15 Dec.

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**yi** **Vt.** Creating Bd. of Penal Institutions; 3 members appointed by Gov.; term 6 years; to supervise State Prison House of Correction, and Vt. Industrial School, whose bds. are abolished; Gov. to designate 1 member purchasing agent. 4§ '06 ch.191, 13 Dec.
- yj** **Vt.** Inspector of Finance to be known as Bank Comr. Amds. S. §5321. 2§ '06 ch.203, 19 Dec.
- yk** **Vt.** Creating Comr. of Public Printing; Gov. to appoint for 2 years; salary \$6 per diem; to advertise bids and let contracts for all public printing and stationery; and creating division of public documents in State Library to distribute publications; how distributed. Rep. S. §5423-53, '04 ch.50. 32§ '06 ch.214, 19 Dec.
- yn** **Vt.** Creating State Fair Comn.; 15 members and Gov. and Sec. of Bd. of Agric. ex officio; appointed by Gov., term 3 years; to hold annual fair; \$1000 annual appropriation. 6§ '06 ch.220, 19 Dec.
- yp** **Vt.** Creating Boundary Line Comr.; appointed by Gov.; \$4 per diem; to restore boundary monuments; joint expenditure with bordering state. 3§ '06 ch.226, 10 Dec.
- yq** **Wash.** Creating State Bd. of Finance to consist of Gov., State Treasurer and State Auditor: to invest school or state institutional funds in public bonds, giving preference to school district bonds; conditions. 4§ '07 ch.12, 11 Feb.
- yr** **Wash.** Assistant State Librarian in charge of law dept. to be known as State Law Librarian; to hold office at pleasure of Supreme Court; salary \$1800. 1§ '07 ch.32, 21 Feb.
- ys** **Wash.** Declaring botanists at University and College of Wash., State Botanists; to notify auditor as to noxious weeds in county; msdr. to allow noxious weeds to grow on one's land; road supervisors to enforce. 10§ '07 ch.84, 7 Mar.
- yt** **Wash.** Amdg. Ballinger's Ann.C.&S.'97 §2130: Bd. of State Land Comrs. to consist of Comr. of Public Lands, [Sec. of State, Supt. of Public Instruction], *Fire Warden and Forester and Bd. of Tax Comrs.* 1§ '07 ch.146, 12 Mar.
- yu** **Wash.** Creating State Highway Comr.; appointed by Gov. for 4 years, salary \$2500; also State Highway Bd. to consist of State Auditor, State Treasurer and State Highway Comr.; supervision of construction of state roads. Rep.'05 ch.174 §1-8. '07 ch.149, 12 Mar.
- yv** **Wash.** Creating Comr. of Horticulture, appointed by Gov., term 4 years, salary \$2000; to eradicate plant diseases and insect pests; deputies; county inspectors. 38§ '07 ch.162, 13 Mar.
- yw** **Wash.** Creating State Oil Inspector; appointed by Gov. and Senate, term 4 years, salary \$2000; deputies; to examine and test illuminating oil and petroleum products; report to Gov. in Jan. Rep. '05 ch.161. 8§ '07 ch.192, 15 Mar.
- yx** **Wash.** Amdg. Ballinger's Ann.C.&S.'97 §1716: State Bd. of Equalization to consist of *Auditor* [Sec. of State], Comr. of Public Lands, and *State Bd. of Tax Comrs.*; duties. 1§ '07 ch.215, 16 Mar.
- yy** **Wash.** Formation of banking corp. and regulation of banking business; Gov. to appoint State Examiner, term 4 years, salary \$3600. 53§ '07 ch.225, 16 Mar.

# STATE DEPARTMENTS PERMANENT BOARDS

- 57**
- yz** **W. Va.** Amdg. '99 ch.9 §1,2,7 rel. to W. Va. Humane Society: 5 [4] members of bd.; compensation. 3§ '07 ch.40, 24 Feb.
- z** **W. Va.** Creating Dept. of Mines: under chief appointed by Gov. and Senate for 4 years, salary \$2400; to provide more efficient system of inspection; regulations for mining operations. 27§ '07 ch.79, 27 Feb.
- za** **W. Va.** State Bd. of Examiners for Examination and Registration of Nurses: 5 members appointed by Gov., term 3 years; \$4 per diem; examination; penalties. 8§ '07 (ex. sess.) ch.11, 5 Mar.
- zb** **W. Va.** Bd. of Pharmacy: 1 from each congressional district, appointed by Gov. and Senate, term 5 years; examination and licenses; adulteration of drugs; sale of poisons, narcotics etc.; exceptions; penalties. 31§ '07 (ex. sess.) ch.12, 6 Mar.
- zc** **Wis.** Creating State Fire Marshal: appointed by Gov.; term 6 years; salary \$3000; to investigate origin of fires causing loss of \$25; local authorities to assist; may order building to be kept in safe condition; tax on fire insurance companies to defray expense. Adds S. '98 §1946g-q. 11§ '07 ch.228, 18 June
- zd** **Wis.** Creating Bd. of Veterinary Examiners: 3 members appointed by Gov.; term 2 years; examination for license; annual registration. Adds S. '98 §1492e subdiv.1-19; rep. §1492f. 21§ '07 ch.334, 21 June
- ze** **Wis.** Sec. of State, Comr. of Labor and Industrial Statistics, and chief clerk of State Land Office to constitute State Bd. of Immigration; to gather and disseminate information as to resources of state to encourage immigration. Adds S. '98 §237h-n. 7§ '07 ch.407, 25 June
- zf** **Wis.** Creating Waterways Comr.: appointed by Gov.; term 3 years; salary and qualifications same as Railroad Comr.; to have powers rel. to navigation formerly conferred on Railroad Comn. Adds S. '98 §1797m-v. 10§ '07 ch.429, 27 June
- zg** **Wis.** Creating State Park Bd.: 3 members appointed by Gov.; term 6 years; gen. supervision of state parks; to report before end of session on acquiring new parks and places of historical interest and natural beauty. Adds S. '98 §1494t subdiv.1-5. 6§ '07 ch.495, 9 July
- zh** **Wy.** Creating Bd. of Deposits to consist of Gov., State Treasurer and Sec. of State; to designate state depositories; care of local funds by local bds. and treasurers. 24§ '07 ch.30, 15 Feb.
- zi** **Wy.** Creating Dept. of Immigration to consist of Comr. of Public Lands, State Geologist and State Engineer; to advertise resources of state. 2§ '07 ch.75, 20 Feb.
- zj** **Wy.** Gov. to appoint Custodian of Industrial Exhibit of State; term 2 years; to collect and exhibit in Cheyenne specimens of industrial welfare of state. 3§ '07 ch.76, 20 Feb.
- zk** **Wy.** Constituting Wy. Humane Society State Bd. of Child and Animal Protection; Gov., Supt. of Public Instruction and Atty. Gen. to be ex officio members; annual report to Sec. of State. 7§ '07 ch.82, 20 Feb.

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- zn Wy.** Requiring registration of deaths and births; State Bd. of Health to establish Bureau of Vital Statistics; local registrars; regulations and penalties. 10§ '07 ch.99, 20 Feb.

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### Temporary boards and officers

The entries under this head are duplicated under the special subjects to which they pertain. They are grouped here primarily for the use of the document librarian and the student of state administration. *See also* 59, Special investigations

- a Ala.** Gov. and 4 persons appointed by him to constitute Comn. for Jamestown Exposition; \$25,000. 5§ '07 p.260, 4 Mar.
- aa Ala.** Creating comn. to consist of Gov., Director of Dept. of Archives and History and 5 appointees of Gov. to prepare plans for celebration of one hundredth anniversary of battle of Tohopeka, Mar. 27, 1914, report to next Legis. 3§ '07 p.547, 6 Aug.
- b Ari.** Comn. to select site for Territorial Prison and Territorial Industrial School; 5 members appointed by Gov.; \$10 per day and 10c mileage; to organize in 10 days and report 15 days thereafter. 4§ '07 ch.5, 25 Feb.
- c Cal.** Gov. to be Alaska-Yukon-Pacific Exposition Comr. to supervise Cal. exhibit; \$100,000. 6§ '07 ch.154, 8 Mar.
- d Cal.** Committee of 3, appointed by Gov. to urge mining legislation by Cong. '07 p.1276, 8 Mar.
- e Col.** Gov., President of Denver Chamber of Commerce and President of American Mining Cong. to compose committee to erect American Temple of Mining in Denver for exhibition of minerals of U. S.; under management of American Mining Cong.; \$10,000 when \$100,000 is contributed by individuals. 6§ '07 ch.61, 17 Apr.
- f Ct.** Gov. to appoint temporary Examiner of Public Records; to hold office till July 1, 1909; salary \$2000; to see that records are kept according to law and properly preserved; report to Gov. Jan. 15, 1909. 4§ '07 ch.131, 14 June
- g Del.** Appointing comn. of 10 to erect monument to Brigadier Gen. John Dagworthy in graveyard near Dagsboro. 1§ '07 ch.24, 9 Apr.
- h Del.** Creating Jamestown Exposition Comn. of 9; \$10,000. 4§ '07 ch.33, 21 Jan.
- i Del.** Creating comn. of 9 to establish agric. experiment station in connection with Delaware College; \$20,000. 10§ '07 ch.50, 29 Mar.
- j Fla.** Gov. to appoint committee of 5 to erect monument on battlefield of Chickamauga to Fla. soldiers who were in battle; \$15,000. 3§ '07 ch.116, 27 May
- k Id.** Creating comn. of 5 to erect statute of late Senator George L. Shoup in National Statuary Hall at Washington; \$6000. 4§ '07 p.110, 5 Mar.
- n Id.** Supreme Court to appoint comr. to revise codes; report to next Legis.; \$14,000. 12§ '07 p.178, 12 Mar.
- p Ind.** Gov. to appoint 3 trustees for erection of monument on Tippecanoe battlefield; without compensation; report to Gov.; \$12,500, provided Cong. appropriate like amount. 3§ '07 ch.44, 25 Feb.

# STATE DEPARTMENTS TEMPORARY BOARDS

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- q **Ind.** Creating comn. to erect monuments to Ind. regiments at battlefield of Vicksburg; 5 members veterans of Ind. regiments present at battle; appointed by Gov., without compensation; removable by Gov.; report to him; \$38,000. 11§ '07 ch.92, 2 Mar.
- r **Ind.** Comn. of 3 to procure statute of Gen. Lew Wallace for National Statuary Hall in Washington; \$5000. 1§ '07 ch.102, 4 Mar.
- s **Ind.** Comn. to erect monument at site of Andersonville prison to Ind. soldiers who died there; 3 resident Union veterans appointed by Gov.; \$10,000; report to Gov. 4§ '07 ch.208, 9 Mar.
- t **Ind.** Gov. to appoint 3 trustees to erect monument and rebuild old Indian chapel at Menominee; report to Gov.; \$2500. 3§ '07 ch.280, 12 Mar.
- u **Ia.** Joint legis. committee of 6 to supervise compilation of "Supplement to Code, 1907"; scheme of compilation and publication. 14§ '07 ch.221, 19 Feb.
- v **Ia.** Creating comn. of 3 to revise and codify school laws; appointed by Gov. at \$8 per diem; report to next session; \$3000. 7§ '07 ch.222, 13 Apr.
- w **Ia.** State Fish and Game Warden to investigate cost of dredging lakes used for boating and fishing; report to next session. 1§ '07 p.293, 9 Apr.
- x **Me.** Comn. of 3, Gov. and 2 appointed by him, to erect monument at National Cemetery at Salisbury, N. C., to Maine soldiers who died there while prisoners; \$5000. '07 r.100, 13 Mar.
- xa **Mass.** Comn. of 5 members, consisting of President of Senate, and 1 senator, Speaker of House and 1 member, and 1 person to be appointed by the Gov. to devise and report plans for extension of State House. 1§ '07 ch.545, 21 June
- xb **Mich.** Creating Bd. of Jamestown Tercentennial Exposition Managers: 5 members appointed by Gov.; \$3 per day and expenses; quarterly report to Gov.; \$20,000. 9§ '07 ch.12, 6 Mar.
- xc **Mich.** Creating Comn. of Inquiry; 9 members appointed by Gov.; to investigate creation of forest preserves out of forest or waste lands and management of same; to draft proposed law and submit to next Legis. 6§ '07 ch.188, 18 June
- xd **Minn.** Gov. to appoint comn. of 5, survivors of 1st Minn. Volunteers, to erect heroic bronze figures of Col. William Colville at capitol and at grave in Cannon Falls; \$10,000. 2§ '07 ch.70, 28 Mar.
- xe **Minn.** Appointing comn. of 3 to erect monument to 1st Minn. Battery on battlefield of Shiloh; \$5000. 2§ '07 ch.233, 18 Apr.
- xf **Minn.** Creating Capitol Grounds Comn.: 3 members appointed by Gov., latter ex officio; to extend and beautify capitol grounds. 5§ '07 ch.281, 22 Apr.
- xg **Minn.** Appointing comn. of 3 to survey and mark off battlefield of Wood Lake and purchase at least 1 acre thereof; report to Gov.; \$500. 3§ '07 ch.336, 23 Apr.
- xh **Mo.** Gov. to appoint 3 comrs. to erect building and exhibit resources of state at Jamestown Exposition; \$45,000. 7§ '07 p.61, 16 Mar.

# N. Y. STATE LIBRARY INDEX OF LEGISLATION 1907

58

- xi** Mon. Gov. to appoint comr. to compile and revise codes; 2 years; \$4000 in full; method of compilation; publication; distribution; \$16,000. 16§ '07 ch.85, 4 Mar.
- xj** Mon. Appropriating \$800 for restoration of Old Fort Benton; to be under supervision of bd. of 3 trustees appointed by Gov. 6§ '07 p.563, 7 Mar.
- xk** N. H. Gov. and Council at discretion to employ agent for suppression of gipsy and brown tail moth; localities to be reimbursed; compulsory action; regulations; \$25,000. 10§ '07 ch.147, 5 Apr.
- xn** N. J. Presiding officers of Legis. Houses and Adjutant Gen. to form committee to purchase portraits of certain former Govs.; \$2800. 2§ '07 p.738, 18 June
- xp** N. M. Creating Capitol Improvement Bd.; 3 members appointed by Gov. and Council; to enlarge capitol and erect executive mansion; bond issue, \$50,000. 10§ '07 ch.67, 21 Mar.
- xq** N. M. Providing for revision of statutes; comn. to consist of Atty. Gen. and 4 designated; \$20,000. '07 ch.95, 21 Mar.
- xr** N. Y. Continuing comn. appointed pursuant to '06 ch.260 to investigate construction of bridges over and tunnels under Hudson river at N. Y. city; bridge comr. and appointee of mayor of N. Y. city added; \$5000. 2§ '07 ch.319, 7 May
- xs** N. Y. Committee to represent state at national encampment of G. A. R. at Saratoga, Sept. '07, to consist of 4 appointees of Gov., Adjutant Gen., commander N. Y. dept. of G. A. R. and counsel to Gov.; \$35,000. 4§ '07 ch.401, 3 June
- xt** N. Y. Appointing comn. to consist of Gov., 2 appointees of Gov., Lieut. Gov., Speaker of Assembly, 2 senators, 2 assemblymen to confer with comrs. of Vt. and Canada rel. to observance of tercentenary of discovery of Lake Champlain July 4, 1609; report 1908. 1§ '07 p.2511, 5 June
- xu** N. C. Gov. to appoint comr. to act with one representing Va. to rerun and remark boundary. 5§ '07 ch.98, 2 Feb.
- xv** N. C. Creating State Hospital Comn. of 5; appointed by Gov.; \$4 per diem and expenses; to purchase additional land and erect buildings for care of mentally defective at state hospital at Raleigh, Morganton and Goldsboro; \$500,000. 6§ '07 ch.191, 14 Feb.
- xw** Or. Creating Alaska-Yukon-Pacific Exposition Comn.; 5 members appointed by Gov.; classification of exhibits; \$100,000. 10§ '07 ch.180, 25 Feb.
- xx** Pa. Comn. of 5 to erect monument to Brigadier Gen. Theodore J. Wint in National Cemetery, Arlington, Va.; \$5000. 4§ '07 ch.360, 13 June
- xy** Pa. Comn. of 5 appointed by Gov. to erect monument at Salisbury, N. C. to Pa. soldiers who died in Confederate prison there; \$20,000. 4§ '07 ch.366, 13 June
- xz** Pa. Committee of 20, Daughters of Revolution, appointed by State Regent, to erect bronze tablet to John Jacob Mickly at Zion Reformed Church, Allentown, where he brought Liberty Bell in 1777. 2§ '07 ch.417, 13 June



# STATE DEPARTMENTS    TEMPORARY BOARDS

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- y    Pa. Comn. of 5, survivors of Pa. regiments engaged at Battle of Cold Harbor, appointed by Gov., to erect monument there to said troops; \$6000. 1§ '07 ch.437, 13 June
- ya   Pa. Comn. of 3 appointed by Gov. to erect tablet at Middle Springs to soldiers of Wars of Revolution, 1812 and 1846 who went from there. 1§ '07 ch.438, 13 June
- yb   Pa. Gov., Sec. of Commonwealth and Sec. of Internal Affairs to erect monument at National Cemetery, Culpeper, Va. to Pa. soldiers buried there; \$8000. 1§ '07 ch.447, 13 June
- yc   Pa. Committee of 3 to erect monument at Driftwood to commemorate embarkation of Bucktail Regiment there in 1861; \$2500. 2§ '07 ch.455, 13 June
- yd   Pa. Comn. of 3, survivors of 67th, 87th and 138th regiments, appointed by Gov.; to erect monument on battlefield of Monocacy to such regiments; transportation of survivors to dedication; \$10,000. 5§ '07 ch.457, 13 June
- ye   Pa. Committee of 3 appointed by Gov. to erect memorial at grave of U. S. Senator Samuel Maclay at Buffalo Valley; \$1000. 1§ '07 ch.467, 13 June
- yf   Pa. Battlefield Comn. of 3d Division, 9th Corps, Army of Potomac; 6 survivors appointed by Gov.; to erect monument at Petersburg, Va. to such division; transportation of survivors to dedication; \$21,000. 5§ '07 ch.485, 13 June
- yg   Pa. Comn. of 3 appointed by Gov. to erect monument to Union soldiers buried in U. S. military cemetery at Winchester, Va.; \$20,000. 2§ '07 ch.672, 13 June
- yh   R. I. Gov. and Senate to appoint comr. to suppress gipsy and brown tail moths under direction of State Bd. of Agric.; powers; regulations; printed report to Legis.; municipalities may expend money for coöperation; \$10,000; penalties. 8§ '07 ch.1472, 23 Apr.
- yi   R. I. Comn. of 5, appointed by Gov., to investigate neglect of remains of Roger Williams and recommend at next session as to care of same. '07 r.44, 23 Apr.
- yj   S. C. Creating comn. to place statue of John C. Calhoun in National Capitol; Gov., Chairmen of Finance and Ways and Means Committees, State Regent D. A. R. and Historian of King's Mountain Chapter D. A. R.; \$10,000. 2§ '07 ch.373, 13 Feb.
- yk   S. C. Designating comn. of 5 members to mark grave of Gen. Thomas Sumter; \$1000. 3§ '07 ch.374, 25 Feb.
- yn   S. C. Creating State Dispensary Comn.; 5 members to be appointed by Gov.; to close out business and property of dispensary; \$5 per diem; report to Gov. earliest practicable date; may investigate past conduct of affairs of dispensary. 8§ '07 ch.402, 16 Feb.
- yp   Tenn. Comn. to consist of Gov., senator and representative to erect Gov.'s mansion; \$35,000. 5§ '07 ch.38, 14 Feb.
- yq   Tenn. Comn. of 9 appointed by Gov. to provide Tenn. exhibit at Jamestown Exposition; Gov. chairman; \$20,500. 2§ '07 ch.107, 12 Feb.

# N. Y. STATE LIBRARY INDEX OF LEGISLATION 1907

58

- yr** U. Gov. to appoint comn. of 2 to compile and annotate laws; report present session; details; \$7000. 10§ '07 ch.3, 15 Feb.
- ys** U. Creating Alaska-Yukon-Pacific Exposition Comn. to consist of Gov. and 4 members appointed by him and Senate; to represent state at exposition; \$2000. 7§ '07 ch.124, 23 Mar.
- yt** U. Creating Jamestown Tercentennial Exposition Comn. to consist of Gov. and 4 members appointed by him and Senate; to represent state at exposition. 6§ '07 ch.125, 23 Mar.
- yu** U. Creating International Mining Exposition Comn. to consist of Gov. and 4 appointed by him and Senate; to exhibit state's mineral resources at New York 1908; \$2000. 9§ '07 ch.138, 23 Mar.
- yv** Vt. Creating Tuberculosis Comn. to continue work of comn. created by '04 ch.142; 3 members to serve till next session of Gen. Assembly; appointed by Gov.; compensation; report. 5§ '06 ch.167, 23 Nov.
- yw** Vt. Creating comn. to revise statutes; method of revision; publication and distribution; compensation fixed by Gov. 13§ '06 ch.216, 12 Dec.
- yx** Vt. Comn. of 5 to be appointed by Gov. for Jamestown Exposition; to prepare state exhibit; \$10,000. 6§ '06 ch.219, 19 Dec.
- yy** Vt. Creating Comn. to Establish Uniform System of Probate and County Court Forms and Records; 3 probate judges and 3 county clerks appointed by Gov.; report. 3§ '06 ch.224, 17 Dec.
- yz** Vt. Creating Comn. to bring about observance of tercentennial of discovery of Lake Champlain; Gov. ex officio and 6 other members; to confer with New York and Canada; report. '06 ch.459, 15 Nov.
- z** Wash. Creating Alaska-Yukon-Pacific Exposition Comn.; 7 members appointed by Gov.; coöperation of state depts.; \$400,000. 8§ '07 ch.5, 4 Feb.
- za** Wash. Creating State Building Comn. to consist of Gov., State Treasurer and State Auditor to erect executive mansion; \$35,000. 8§ '07 ch.49, 28 Feb.
- zb** W. Va. Gov. and Senate to appoint State Highway Inspector, term 2 years, salary \$2000; to report at next session on revision of laws with regard to improvement of highways. 8§ '07 ch.60, 24 Feb.
- zc** Wis. Continuing Wis.-Vicksburg National Military Park Comn.; \$100,000 additional. 5§ '07 ch.541, 10 July

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## Special investigations

The entries under this head are duplicated under the special subject to which they pertain. They are grouped here primarily for the use of the document librarian and the student of state administration.

- a** Ala. Legis. committee of 5 to investigate adequacy of salaries of state officers and employees. '07 p.8, 6 Feb.
- b** Ala. Legis. committee of 8 to prepare gen. mun. charter bill or bills. 6§ '07 p.299, 6 Mar.
- c** Ala. Legis. committee of 5 to investigate guano and fertilizer. '07 p.346, 7 Mar.

# STATE DEPARTMENTS SPECIAL INVESTIGATIONS

59

- ca Ala. Joint committee of 5 to investigate charges of cruelty in Ala. Insane Hospital at Tuscaloosa; report at present session. 1§  
'07 p.477, 13 July
- cb Ala. Comn. of 5 members of legis. to be appointed by Gov. to investigate charges of mismanagement of Insane Hospital. 8§  
'07 p.755, 9 Aug.
- d Ari. Appointing 7 joint legis. committees of 5 members each to investigate territorial institutions; \$800. '07 p.299, 1 Feb.
- e Ark. Continuing Ark. History Comn.; report to Gov. 1909; \$1600. 3§  
'07 ch.430, 28 May
- f Ark. Joint legis. committee of 7 to examine administration of University of Ark.; report to respective houses. 1§ '07 p.1259, 12 Feb.
- g Ark. Authorizing joint committee on penitentiary to investigate alleged inhuman treatment of prisoners in camps and on farm. 1§  
'07 p.1260, 14 Feb.
- h Ark. Joint legis. committee of 9 to investigate conditions and management of ex-Confederate Soldiers Home; report this session. 1§  
'07 p.1261, 28 Feb.
- i Ark. Joint legis. committee of 5 to confer with Gov. and consider investigation of charges of bribery at last session. 1§  
'07 p.1267, 2 Feb.
- j Ark. Joint committee on state capitol directed to investigate charges of fraud. 2§  
'07 p.1270, 12 Feb.
- k Cal. Gov. to have investigation made under supervision of director of agric. experiment station at University of Cal. of feasibility of raising tobacco in state; \$1000. 3§  
'07 ch.153, 8 Mar.
- n Cal. Providing for joint investigation with federal govt. of water resources of state; \$68,000, but not to exceed amount expended by U. S. 4§  
'07 ch.161, 11 Mar.
- p Cal. Gov. to have agric. experiment station at University of Cal. investigate methods of cereal culture; results to be published from time to time; \$10,000. 3§  
'07 ch.175, 11 Mar.
- q Cal. Legis. committee of 6 to investigate condition of harbors; to recommend legislation at next session. '07 p.1360, 14 Mar.
- r Cal. Legis. committee of 5 to investigate 3 sites for rifle ranges; report next session. 1§  
'07 p. 1365, 14 Mar.
- s Col. Joint legis. committee of 10 to investigate needs of state institutions; report next session. '07 p.637, 2 Apr.
- t Col. Joint legis. committee of 5 to investigate methods for conducting state institutions; report to Gov. '07 p.644, 2 Apr.
- u Ct. Gov. to appoint committee of 3, employer, representative of labor and lawyer to recommend legislation rel. to employers' liability; report by Apr. 2, 1907. 4§ '07 special acts, ch.10, 27 Feb.  
Continued: report next session. 3§ '07 special acts ch.352, 5 July
- v Ct. Comn. of 9 appointed by Gov. to investigate means to prevent spread of tuberculosis; report next session. 2§  
'07 special acts ch.426, 17 July
- w Ct. Appointing comn. of 5 to recommend legislation as to public service corporations; report to next Gen. Assembly. 1§  
'07 special acts ch.470, 5 Aug.

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- wa Del.** Creating State Revenue and Taxation Comn. to consist of 3 representatives, 3 senators and 3 appointees of Gov.; \$5 per diem; to investigate state revenue; report next session; \$1500. 4§  
'07 ch.115, 29 Mar.
- wb Del.** Joint legis. committee of 5 to investigate advisability of erecting new state house and cost and location thereof. 1§  
'07 ch.258, 31 Jan.
- wc Fla.** Joint legis. committee of 7 to investigate affairs of Trustees of Internal Improvement Fund; \$10,000. 8§ '07 ch.37, 31 May
- wd Fla.** Creating comn. of 3, appointed by Gov., to examine and audit claims against state for services, forage, subsistence and transportation furnished in Seminole Wars; \$10,000. 10§ '07 ch.39, 3 June
- we Fla.** Gov. to appoint committee of 3 Confederate veterans to consider kind and cost of statue to be erected to Gen. Edmund Kirby Smith in National Statuary Hall at Washington; report to Legis. 1909. 3§  
'07 ch.119, 20 May
- wf Fla.** Gov. to appoint comn. of 5 to locate in Porto Rico remains of Ponce de Leon and if possible remove them to St Augustine. 1§  
'07 ch.120, 1 June
- wg Ga.** Joint legis. committee of 5 to examine books of state house officers. '07 p.10§1, 22 Aug.
- wh Ill.** Comn. of 6 to be appointed by Gov. to investigate common school system of Ill.; report to Legis. of 1909; \$10,000. 7§  
'07 p.24, 25 May
- wi Ind.** Railroad Comn. to investigate cause of railroad accidents like that at Fowler and Sandford; railroad may participate; report to present Gen. Assembly. 6§  
'07 ch.295, 24 Jan.
- wj Ind.** Joint legis. committee of 7 to investigate explosions at Rosebud and Deering mines to determine prevention of similar accidents; Inspector of Mines, United Mine Workers of America district 11, and coal operators may participate; report at present session. 6§  
'07 ch.296, 25 Jan.
- wk Me.** Comn. of 5, appointed by Gov. and Council; to investigate assmt. and collection of taxes and recommend better system.  
'07 r.108, 13 Mar.
- wn Me.** Committee of 5 to be appointed by Gov. to inquire as to advisibility of creating State Bd. of Charities and Corrections; report to next Legis.; \$1000. '07 r.210, 28 Mar.
- wp Me.** Bd. of State Assessors, under direction of Gov. and Council to investigate ownership and value of wild lands; \$2500.  
'07 r.242, 28 Mar.
- wq Mass.** Boston Transit Comn. to ascertain whether congestion and delay in moving freight in that city can be relieved by subways; expense of investigation to be borne by city; report to Gen. Court by Jan. 10, 1908. 1§  
'07 ch.247, 28 Mar.
- wr Mass.** Sec. of Commonwealth to prepare codification of election laws and suggest changes; report at present session. '07 r.16, 27 Feb.

# STATE DEPARTMENTS SPECIAL INVESTIGATIONS

- 59**  
**ws** **Mass.** Bank Comr., Treasurer and Receiver Gen. and Comr. of Corporations to examine laws relating to savings banks and suggest changes at next session; \$500. '07 r.24, 12 Mar.
- wt** **Mass.** Comn. on Industrial Education to investigate textile schools and report with recommendations at next session. '07 r.64, 24 Apr.
- wu** **Mass.** Railroad Comrs. to investigate and report at next session rel. to equalizing passenger rates on railroads. '07 r.82, 14 May
- wv** **Mass.** Bd. of Harbor and Land Comrs. to investigate and report at next session rel. to metropolitan system of docks for Boston to be owned by state or city. '07 r.93, 28 May
- ww** **Mass.** Comn. on Commerce and Industry; 5 members appointed by Gov. and Council; to investigate transportation facilities and industries, and effect of relation of capital and labor and legislation on industries; to report as to legis. or executive action necessary for development of same at next session; \$15,000. '07 r.104, 10 June
- wx** **Mass.** Comn. of 5, 3 appointed by Gov. and Council, 2 by mayor of Boston; to investigate as to public improvements for metropolitan district; report by Dec. 1908; \$25,000. '07 r.108, 15 June
- wy** **Mass.** State Bd. of Charity to investigate needs of industrial school for boys excluded from Lyman School for Boys by age limit; report at next session; \$500. '07 r.121, 21 June
- wz** **Mass.** Comn. of 5 appointed by Gov. and Council to investigate systems of old age insurance or pensions; report by Jan. 15, 1909; \$2500. '07 r.127, 26 June
- x** **Mass.** Comn. to consist of 2 senators, 4 representatives and 3 experts appointed by Gov. to investigate whole subject of taxation; report by Dec. 1907. '07 r.129, 28 June
- xa** **N. H.** Comn. of 3 appointed by Gov. and Council, to investigate equalization of taxes and additional sources of income; report at next session. 6§ '07 ch.92, 26 Mar.
- xb** **N. J.** Comn. appointed by '05 ch.94 to revise laws on master and servant, to report to Legis. of 1908 [1906]. 1§. '07 ch.102, 25 Apr.
- xc** **N. J.** Joint legis. committee of 6 to investigate coal and ice monopolies, and suggest remedial legislation. '07 p.731, 15 Apr.
- xd** **N. J.** Gov. to appoint comn. of 5 to investigate increased cost of stone road building and feasibility of acquiring and operating by state quarries for such purpose; report by Jan. 1908. 4§ '07 p.732, 15 Apr.
- xe** **N. J.** Giving Comn. on Mun. Govt. till next session to report. 2§ '07 p.734, 7 May
- xf** **N. J.** Appointing comn. of 7 to investigate promotion of live stock raising in state; report next session. 2§ '07 p.735, 14 May
- xg** **N. Y.** Comn. of 9, 3 appointed by Gov., 3 assemblymen and 3 senators, to investigate National Guard and revise Military Code; \$10,000. 3§ '07 ch.261, 1 May
- xh** **N. Y.** Creating comn. to suggest legislation for revision of Greater New York charter to consist of mayor, comptroller and 7 appointees of Gov., 1 an alderman; report Dec. 1907. 3§ '07 ch.600, 17 July

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- 59  
**xi** N. Y. Comn. of 7 appointed by Gov. to report expediency of adopting Torrens system; report by Feb. 1, 1908. 4§  
'07 ch.628, 19 July
- xj** N. Y. Amdg. '04 ch.718 §1, 4 rel. to establishing N. Y. State Training School for Boys: comn. to consist of 3 *appointees of Gov.* [Comptroller, Fiscal Supervisor of State Charities, president of bd. of managers of Society for Reformation of Juvenile Delinquents in City of N. Y., president of State Bd. of Charities, State Architect]; report to Legis. of 1908 [1907]. 2§  
'07 ch.665, 20 July
- xk** N. C. Establishing Stonewall Jackson Manual Training and Industrial School to receive delinquents under 16 years committed by courts; 15 trustees, 11 to be appointed by Gov. if state aid be given; inspection by Gov. annually; joint legis. committee of 5 to investigate methods of such schools; report to Gov. by Sept. 1, 1907. 19§  
'07 ch.509, 2 Mar.
- xn** N. D. Gov. to appoint nonpartizan bd. of 3 to investigate feasibility of state operating grain terminal elevator, grain inspection, handling, lockage and screening; report to Legis. of 1909; \$2000. 1§  
'07 ch.129, 4 Mar.
- xp** N. D. Gov., President of Senate and Speaker of House to constitute Public Inquiry Comn.; to investigate properties, values, rates, accidents, efficiency of service of public service corporations; last report July 1908. 9§  
'07 ch.194, 19 Mar.
- xq** Or. Joint legis. committee of 5 to visit and investigate needs of state institutions. '07 p.521, 28 Jan.
- xr** Or. Joint legis. committee of 6 to confer with like committees from Wash. and Id. as to necessary legislation for keeping open navigation of Columbia and Snake rivers. '07 p.522, 30 Jan.
- xs** Or. Joint legis. committee of 5 to meet like committee from state of Wash. to investigate fishing industry on Columbia river; report 1909. '07 p.523, 21 Feb.
- xt** Pa. Comn. of 7, including Supt. of Public Instruction to revise, collate and digest school laws; to report to next Legis.; \$5000. 5§  
'07 ch.140, 8 May
- xu** Pa. Comn. of 9 to confer with comns. of N.Y., N.J., Del., Md. as to legislation rel. to fish and fishing in Delaware and Susquehanna rivers; \$5000. '07 ch.152, 8 May
- xv** Pa. Continuing Comn. to Compile and Publish Laws of Pa. prior to 1800; \$8000. 1§  
'07 ch.361, 13 June
- xw** Pa. Committee of 3 senators and 4 representatives to investigate charges of irregularity in expenditure of moneys in connection with construction and furnishing of new capitol. '07 p.801, 30 Jan.
- xx** Pa. Joint legis. committee of 5 to investigate increased price of food stuffs and unlawful combinations responsible therefor; report by Mar. 15, 1907. '07 p.804, 14 Feb.  
Time extended to Apr. 10. '07 p.808, 11 Mar.
- xy** Pa. Joint legis. committee of 5 to investigate salaries and number of state employees and to prepare bill fixing each definitely; report by Apr. 10, 1907. '07 p.810, 20 Mar.

# STATE DEPARTMENTS SPECIAL INVESTIGATIONS

- 59  
**xx** Pa. Joint legis. committee of 6 to investigate roads near Harrisburg built by State Highway Department. '07 p.813, 15 Apr.
- y** Pa. Comn. of 3 appointed by Gov. to investigate abandonment of canals and of construction of competitive railroads, and recommend legislation for restoration of canals and sale of abandoned railroad construction to independent companies; Atty. Gen. to secure charters of abandoned railroads; report to next Legis. '07 p.831, 14 June
- ya** Pa. Comn. of 5 appointed by Gov. to consist of 2 operators, 2 mine workers and 1 expert without pecuniary interest; to revise bituminous mine laws; report to next Legis.; \$5000. '07 p.832, 14 June
- yb** R. I. Requesting Atty. Gen. to investigate increase in price of coal by dealers, and if found to have been done by concerted action to prosecute. '07 r.5, 29 Jan.
- yc** R. I. Comn. of 5, appointed by Gov. and Senate, to recommend changes in banking laws; report to Legis. 1908 session; \$1000. '07 r.43, 23 Apr.
- yd** S. C. Joint committee, 3 senators and 3 representatives appointed by presiding officers to investigate discrimination of railroad rates against City of Charleston; \$4 per diem, 5c mileage; \$2000; report to next session. 10§ '07 p.837, 19 Feb.
- ye** S. C. Joint legis. committee to investigate affairs of State Dispensary; 2 senators, 3 representatives appointed by presiding officers of respective Houses; to report to Gen. Assembly in 10 days. 8§ '07 p.952, 16 Jan.
- yf** S. C. Joint legis. committee to examine accounts of Comptroller Gen., State Treasurer, Sec. of State and Sinking Fund Comrs.; 1 senator, 2 representatives appointed by presiding officers of respective Houses; to report to Gen. Assembly. 1§ '07 p.959, 29 Jan.
- yg** Tenn. Comn. of 3 appointed by Gov. and to confer with like comn. of Ark. rel. to boundary; report to next Gen. Assembly for ratification; on refusal of Ark. to negotiate Atty. Gen. to bring suit in U. S. Supreme Court. 3§ '07 ch.516, 15 Apr.
- yh** Tenn. Committee of 5 members of House of Representatives to investigate reduction of railroad passenger rates to 2c; report after recess. '07 p.2161, 29 Jan.  
 Joint committee of 5 substituted. '07 p.2197, 15 Feb.
- yi** Tenn. Joint legis. committee of 5 to investigate offices of State Treasurer and Comptroller. 4§ '07 p.2181, 21 Jan.
- yj** Tenn. Joint legis. committee of 5 to investigate condition of records and archives of state. '07 p.2189, 30 Jan.
- yk** Tenn. Joint legis. committee of 5 to investigate office of Sec. of State. '07 p.2193, 8 Feb.
- yn** Tenn. Joint legis. committee of 5 to investigate subject of insurance; report at present session. '07 p.2194, 8 Feb.  
 Increased to 9 members. '07 p.2199, 15 Feb.
- yp** Tenn. Joint legis. committee of 3 to investigate office of Sec. of Bd. of Health. '07 p.2233, 16 Jan.

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- 59
- yq **Tenn.** Joint legis. committee of 7 to report on legislation looking to uniform system of public schools. '07 p.2237, 2 Feb.
- yr **Tenn.** Joint legis. committee of 5 to investigate receipts and disbursements of Dept. of Game, Fish and Forestry. '07 p.2238, 2 Feb.
- ys **Tenn.** Joint Insurance Committee to investigate subject of state fire insurance. '07 p.2239, 14 Feb.
- yt **Tex.** Gov. to appoint 3 comrs. to revise and digest laws; report next Legis. 5§ '07 ch. 180, 30 Apr.
- yu **Vt.** Gov. to appoint comn. consisting of Auditor of Accounts and 2 others to determine on a method of bookkeeping in office of Auditor of Accounts; assistants to be appointed in said office. 8§ '06 ch.20, 23 Nov.
- yv **Vt.** Creating comn. to consider status of normal schools and compare same with those of other states; 5 members appointed by Gov.; report 1908. '06 ch.500, 14 Dec.
- yw **Vt.** Creating comn. to investigate taxation; 6 members appointed by Gov.; bipartisan; report June 1908. '06 ch.501, 19 Dec.
- yx **Vt.** Joint committee, 2 senators and 3 representatives to investigate expenses of comns. '06 ch.503, 19 Nov.
- yy **Vt.** Joint committee, 2 senators and 3 representatives to investigate system of bookkeeping used by Auditor of Accounts. '06 ch.507, 9 Oct.
- yz **Vt.** Bd. of Health to investigate ventilation of Senate and House; sergeant at arms to make alterations necessary. '06 ch.509, 19 Dec.
- z **Wash.** Creating comn. to revise and recodify Code of Public Instruction; to consist of Supt. of Public Instruction, Atty. Gen. and 3 appointees of Gov.; report to Legis. 1909; \$500. 6§ '07 ch.141, 12 Mar.
- za **W. Va.** Legis. committee of 5 to investigate mine disaster; report before Feb. 18, 1907. '07 p.428, 6 Feb.
- Time for report extended through vacation. '07 p.434, 16 Feb.
- zb **W. Va.** Legis. committee of 5 to investigate system of supervision, management and uniform accounting for state institutions; report at next session. '07 p.430, 22 Feb.
- zc **Wis.** State Park Comn. to investigate and report to Gov. advisability and cost of establishing state park at site of territorial capitol. 3§ '07 ch.558, 10 July
- zd **Wis.** Joint legis. committee of 5 to investigate lumber trust; report to Gov. Jan. 1908. '07 p.1286
- ze **Wis.** State Bd. of Control directed to investigate public and private orphan asylums. '07 p.1288
- zf **Wis.** State Bd. of Control to investigate state rock-bearing lands and consider advisability of employing convicts in quarrying same; report to Legis. Jan. 1909. '07 p.1290
- zg **Wis.** State Bd. of Control to investigate increase of mental defectives. '07 p.1290
- zh **Wis.** Chairmen of revision and judiciary committees of Legis. and Speaker of Assembly to constitute committee to recommend plan for revision of statutes; report to next Legis. '07 p.1294



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## State institutions

*See also* 335, Corrections; 790, 863, Finance; 2140, Charities; 2220, Education

- a **Col.** Joint legis. committee of 10 to investigate needs of state institutions; report next session. '07 p.637, 2 Apr.
- b **Ct.** State may condemn land or water supply for use of state institution. 3§ '07 ch.84, 21 May
- c **Ind.** Governing bds. of state benevolent, reformatory and penal institutions to be known as trustees and to consist of 4 members, term 4 years, salary \$300; qualifications; bonds; organization; Ind. Industrial School for Girls to be known as Ind. Girls School, Ind. Institution for the Education of the Deaf and Dumb as Ind. State School for the Deaf, Ind. Institution for the Education of the Blind as Ind. School for the Blind—said institutions to be regarded wholly as educational institutions; trustees of State Prisons to be Bd. of Parole; trustees of Soldiers Home to be Civil War veterans or wives; trustees of Women's Prison and Girls School all to be women; power of eminent domain; to appoint and remove heads of institutions; soliciting from or paying campaign assmts. by employees prohibited, penalty; supplies to be purchased by bid; annual report to Gov. 10§ '07 ch.98, 2 Mar.
- d **Minn.** State Treasurer may accept gifts, bequests and endowments for state institutions on approval of Gov., State Auditor and State Treasurer; to be applied as intended; invested same as school funds. 4§ '07 ch.170, 12 Apr.
- e **Neb.** Rep. C.S.'05 §5965, rel. to duty of Bd. of Public Lands and Buildings rel. to charges against officers. 1§ '07 ch.141, 2 Mar.
- f **N. D.** Gov. to furnish each Legis. financial and statistical report on state institutions; trustees to furnish Gov. with data. 3§ '07 ch.233, 19 Mar.
- g **Or.** Referring to Legis. of 1909 amdt. to Const. 1857 art.14 §3: state institutions *not located elsewhere prior to Jan. 1, 1907* to be in county at seat of govt., *except when otherwise ordered by Legis. and ratified by electors.* 1§ '07 p.505, 13 Feb.
- h **Or.** Joint legis. committee of 5 to visit and investigate needs of state institutions. '07 p.521, 28 Jan.

61 **Establishment. Reorganization. Change of name**

The entries under this head are duplicated under the special subjects to which they pertain. They are grouped here primarily for the use of the document librarian and the student of state administration.

- a **Ala.** Establishing normal school for white teachers at Daphne; 6 trustees appointed by Gov.; Gov., Supt. of Education and president of school ex officio; regulations; conditioned on donation of land and building by Baldwin County and \$10,000 by private persons. 14§ '07 p.268, 4 Mar.
- b **Ala.** Dissolving bd. of trustees of Medical College of Ala. and vesting control of same in bd. of trustees of University of Ala. 3§ '07 p.300, 6 Mar.

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- 6i
- ba **Ala.** Establishing normal school for white teachers at Moundville. 14§ '07 p.656, 18 Aug.
- bb **Ala.** Establishing state sanatorium for study and treatment of tuberculosis; govt.; methods of treatment; \$40,000; bullctins. 21§ '07 p.705, 14 Aug.
- c **Ari.** Providing for removal of Territorial Prison from Yuma to Florence. 8§ '07 ch.97, 21 Mar.
- d **Ark.** Establishing State Normal School; bd. of trustees to consist of Supt. of Public Instruction, State Auditor, State Treasurer and 4 appointed by Gov. for 4 years; to consider donations of sites and moneys for buildings; admission; fees; biennial report to Legis. 19§ '07 ch.317, 14 May
- e **Col.** Establishing Industrial Workshop for Blind; under Bd. of Control of 3, appointed by Gov. and Senate for 2 years; to teach trades suitable to blind. 11§ '07 ch.108, 8 Apr.
- f **Ind.** Name of Ind. Industrial School for Girls changed to Ind. Girls School; bd. of trustees to consist of 4 women, term 4 years, appointed by Gov., salary \$300. 4§ '07 ch.119, 8 Mar.
- g **Ind.** Establishing Hospital for Treatment of Tuberculosis; comm. of 5 appointed by Gov. to erect same; bd. of trustees of 3, appointed by Gov. for 3 years; regulations; \$30,000 for site. 21§ '07 ch.125, 8 Mar.
- h **Ind.** Creating correctional dept. of Women's Prison, not communicating with main prison; for female delinquents sentenced to jail or workhouse; employment; instruction; \$40,000. 7§ '07 ch.135, 9 Mar.
- i **Ia.** Amdg. '06 ch.120 rel. to State Sanitarium of Tuberculosis; spelling changed to sanatorium; \$30 [\$20] per capita appropriation; lectures for dissemination of information as to disease. Add new section. 5§ '07 ch.147, 10 Apr.
- j **Ia.** Changing name of penitentiary at Anamosa to "The Reformatory." 21§ '07 ch.192, 2 Apr.
- k **Me.** Establishing Me. School for Feeble-minded; 5 trustees appointed by Gov. and Council; \$5 per diem; admissibility; probate judge may commit to; \$60,000. 12§ '07 ch.44, 6 Mar.
- n **Me.** Authorizing construction of building at Eastern Me. Insane Hospital for isolation and treatment of tubercular insane; \$30,000. '07 r.50, 19 Feb.
- p **Mass.** Name of Hatch Experiment Station changed to Mass. Agric. Experiment Station. 1§ '07 ch.66, 5 Feb.
- q **Mass.** Name of Mass. School and Home for Crippled and Deformed Children changed to Mass. Hospital School. 1§ '07 ch.226, 20 Mar.
- r **Mass.** Changing name of School for Feeble-minded to Wrentham State School. 1§ '07 ch.421, 16 May
- s **Mass.** Gov. and Council to appoint bd. of trustees of 7 to erect 3 sanatoriums for tuberculosis; term 5 years; member of State Bd. of Charity and of Health to assist; regulations for administration; \$300,000. 15§ '07 ch.474, 4 June

# STATE DEPARTMENTS INSTITUTIONS

- 61**
- t Mich.** Organizing State Psychopathic Hospital at University of Mich.; bd. of 8 trustees, 4 from other hospital bds. and 4 Regents; staff; commitment; support of patients. Rep. '01 ch.161, '05 ch.140. 30§ '07 ch.278, 27 June
- u Minn.** Establishing State Hospital for Indigent, Crippled and Deformed Children; under management of State Bd. of Control. 5§ '07 ch.81, 2 Apr.
- v Minn.** Establishing State Industrial School for Girls: Bd. of Control to supervise construction; cottage plan; Gov. to appoint Bd. of Women Visitors of 5 annually; inspection and report; \$25,000. 11§ '07 ch.282, 22 Apr.
- w Minn.** Bd. of Control to establish Hospital Farm for Inebriates for persons afflicted with chronic inebriety caused by alcohol or narcotic; commitment; parole; 2% tax or license fees. 21§ '07 ch.288, 22 Apr.
- x Minn.** Bd. of Control to erect State Asylum for Dangerous Insane in connection with State Hospital at St Peter; commitments and transfers. 9§ '07 ch.338, 23 Apr.
- y Mon.** Authorizing sale of all land acquired for experiment station at Billings as provided by '03 ch.118. 2§ '07 ch.188, 9 Mar.
- ya Mon.** Establishing agric. subexperimental station in Fergus county; \$2000. 4§ '07 ch.189
- yb Mon.** Building at Mon. Agric. College for depts. of agric., horticulture, animal husbandry, veterinary and domestic science; \$80,000. 3§ '07 p.527, 15 Mar.
- yc Mon.** Hospital at Mon. Soldiers Home; \$37,300. 4§ '07 p.528, 5 Mar.
- yd Nev.** Changes in management of State Agric. Experiment Farm. 4§ '07 ch.27, 28 Feb.
- ye N. Y.** Gov. to appoint comn. of 3 to select site in southeastern part of state and prepare plans for buildings of Eastern N. Y. Custodial Asylum for epileptics and feeble-minded. 7§ '07 ch.331, 9 May
- yf N. Y.** State Comn. in Lunacy may select site for hospital for insane near city of New York; not to exceed 1000 acres; report to Legis. of 1908. 5§ '07 ch.524, 17 June
- yg N. C.** Establishing Stonewall Jackson Manual Training and Industrial School to receive delinquents under 16 years committed by courts; 15 trustees, 11 to be appointed by Gov. if state aid be given; inspection by Gov. annually; joint legis. committee of 5 to investigate methods of such schools; report to Gov. by Sept. 1, 1907. 19§ '07 ch.509, 2 Mar.
- yh N. C.** Establishing East Carolina Teachers Training School; curriculum limited to entrance requirements for University of N. C.; free tuition; 9 trustees appointed by State Bd. of Education, Supt. of Public Instruction chairman, term 6 years; \$15,000 conditional on town of location contributing \$25,000. 19§ '07 ch.820, 8 Mar.

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- yi **N. C.** Amdg. Revisal '05 §4182, 4186 rel. to colored normal schools; 6 [5] directors, term 6 years; annual appropriation for buildings etc. \$10,000. 2§ '07 ch.856, 9 Mar.
- yj **N. C.** Establishing N. C. Sanatorium for Treatment of Tuberculosis; 12 directors, elected by Gen. Assembly for 8 years; per diem \$2; \$15,000; annual appropriation \$5000. 15§ '07 ch.964, 11 Mar.
- yk **N. D.** Establishing agric. and grass experiment station in connection with N. D. Agric. College; \$10,000. 3§ '07 ch.120, 19 Mar.
- yn **N. D.** Establishing irrigation and dry farming experiment station near Williston; \$4000. 3§ '07 ch.122, 13 Mar.
- yp **N. D.** Amdg. R.C.'05 §1172: Industrial School and School for Manual Training to be known as State Normal and Industrial School; course in teaching manual training added. 1§ '07 ch.241, 23 Mar.
- yq **Or.** Establishing State Institution for Feeble-minded, for feeble-minded, idiotic and epileptic; trustees to consist of Gov., Sec. of State and State Treasurer; \$10,000. 15§ '07 ch.83, 23 Feb.
- yr **Pa.** Amdg. '05 ch.429 §7: name of Thaddeus Stevens Industrial and Reform School of Pa. changed to Thaddeus Stevens Industrial School of Pa. 1§ '07 ch.76, 15 Apr.
- ys **Pa.** Dept. of Health with approval of Gov. may establish sanatoriums for indigent persons afflicted with incipient tuberculosis; may be located in forestry reservations; \$600,000. 2§ '07 ch.157, 14 May
- yt **Pa.** Authorizing transfer of sanatorium on forestry reservation near Mont Alto from Comm. of Forestry to Dept. of Health to be used for treatment of incipient tuberculosis. 1§ '07 ch.273, 1 June
- yu **Pa.** Comm. of 6, appointed by Gov. to erect hospital at Shamokin for injured laborers; to be governed by bd. of managers of 9, appointed by Gov.; \$30,000. 12§ '07 ch.601, 13 June
- yv **R. I.** Changing name of State Sanatorium for Consumptives to State Sanatorium. 1§ '07 ch.1427, 5 Apr.
- yw **R. I.** Establishing School for Feeble-minded; under control of State Bd. of Education; admission and commitment; annual report to Gen. Assembly; \$25,000. 9§ '07 ch.1470, 23 Apr.
- yx **S. D.** Changing name of Agric. College at Brookings to State College of Agric. and Mechanic Arts. 2§ '07 ch.12, 5 Mar.
- yy **S. D.** Name of Reform School at Plankinton changed to S. D. Training School. 3§ '07 ch.222, 7 Mar.
- yz **Tenn.** Creating Tenn. Reformatory for Boys; 5 trustees appointed by Gov., latter ex officio; commitment; agric. and horticultural experiment station to be established; pardons; \$10,000. 11§ '07 ch.599, 15 Apr.
- z **U.** Amdg. R.S.'98 §2104: name of Utah State School for Deaf and Dumb to Utah School for Deaf. 3§ '07 ch.12, 28 Feb.
- za **Wash.** Amdg. '90 p.271 §1: Wash. State Training [Reform] School. 1§ '07 ch.90, 9 Mar.
- zb **Wash.** Establishing branch of State Soldiers Home to be known as Wash. Veterans Home; \$50,000. 5§ '07 ch.156, 13 Mar.
- zc **Wash.** Establishing Wash. State Reformatory in Snohomish county; management; parole; \$30,000. 23§ '07 ch.167, 14 Mar.

## STATE DEPARTMENTS INSTITUTIONS

61

- zd **Wis.** Regents to erect normal school at La Crosse; \$210,000.  
3§ '07 ch.299, 21 June
- ze **Wis.** Establishing Wis. Mining Trade School at Platteville; to  
instruct in science and practice of mining; \$30,000. Adds S. '98  
§392m-t. 8§ '07 ch.573, 11 July
- zf **Wy.** Establishing Wy. Home of Feeble-minded and Epileptic  
at Lander in place of State Poor Farm; under supervision of Bd. of  
Charities and Reform; \$15,000. Rep. R.S.'99 §672-76; '03 ch.59. 25§  
'07 ch.104, 18 Feb.

63

### Supervision and administration

- a **Col.** Bds. of control of state institutions to receive no com-  
pensation beyond actual expenses. 2§ '07 ch.227, 6 Mar.
- b **Col.** Joint legis. committee of 5 to investigate methods for con-  
ducting state institutions; report to Gov. '07 p.644, 2 Apr.
- c **Col.** Reminding state institutions of illegality of exceeding ap-  
propriations. '07 p.648, 23 Mar.
- d **Minn.** Amdg. R.L.'05 §1891 rel. to money belonging to inmates  
of state institutions: executive officer to remit to State Treasurer  
monthly. 2§ '07 ch.280, 22 Apr.
- e **N. D.** Unlawful for managers of state institutions to make ex-  
penditures in excess of appropriation; monthly report to Gov. Rep.  
R.C.'05 §1283-84. 4§ '07 ch.234, 19 Mar.
- f **Wash.** Amdg. '01 ch.119 §1, 3-7, 9, 11, 13 rel. to State Bd. of Con-  
trol. Adds §18. 10§ '07 ch.166, 14 Mar.
- g **W. Va.** Legis. committee of 5 to investigate system of super-  
vision, management and uniform accounting for state institutions;  
report at next session. '07 p.430, 22 Feb.
- h **Wis.** Amdg. S.'98 §170 rel. to compensation of employees of  
Bd. of Control. 1§ '07 ch.377, 25 June

64

### Examination and inspection

- a **Ari.** Appointing 7 joint legis. committees of 5 members each  
to investigate territorial institutions; \$800. '07 p.209, 1 Feb.
- b **Minn.** Establishing State Bd. of Visitors for Public Institutions  
of 6, appointed by Gov.; latter member ex officio; term 6 years;  
bipartizan; report to Legis. every 2 years. 4§ '07 ch.441, 25 Apr.
- c **Mo.** Amdg. R.S.'99 §8401 rel. to compensation of legis. com-  
mittee to examine state institutions. 1§ '07 p.348, 7 Mar.

65

### Officers

- a **Mich.** Salary of executive officer of state institution, fixed by  
Bd. of Control, to be approved by Gov., Auditor Gen. and State  
Treasurer. 4§ '07 ch.286, 27 June
- b **N. C.** Directors of state institution to elect 1 of number sec.;  
supt. to be within call of meeting; officers not to purchase supplies  
from concern in which they have interest; directors to appoint offi-  
cers. 4§ '07 ch.883, 11 Mar.
- c **Vt.** Gov. may appoint woman member of Bd. of Visitors to  
State Institutions. 2§ '06 ch.192, 10 Dec.

## 67 Public documents. Printing

*See also* 2448, Municipalities; 2499, County and township government

- a **Ari.** Amdg. R.S.'01 §3788 rel. to maximum prices for public printing. 2§ '07 ch.81, 21 Mar.
- b **Col.** Amdg. '03 ch.152 §6-8,17,27 rel. to public printing. 7§ '07 ch.207, 9 Apr.
- c **Ct.** Rel. to number of various reports to be printed; distribution; comptroller to advertise for bids. Rep. G.S.'02 §134; '03 ch.7,55; '05 ch.26,29. 2§ '07 ch.133, 21 June
- d **Id.** Rep. '03 p.333 which required state and county printing to be done in state. 1§ '07 p.7, 11 Feb.
- e **Id.** Rates for official notices in newspapers. 2§ '07 p.27, 19 Feb.
- f **Ia.** Amdg. '06 ch.3 §3, 4 subdiv.1, 3 rel. to number and distribution of reports and documents. 3§ '07 ch.3, 10 Apr.
- g **Me.** Defining state printing as all for which state pays; contracts for paper and plates to be by competitive bid. 2§ '07 ch.32, 6 Mar.
- h **Me.** Abolishing office of public binder; Gov. and Council to let out public binding on competitive bids. Rep. R.S.'03 ch.3 §32-34. 3§ '07 ch.176, 28 Mar.
- i **Mass.** Cities and towns to furnish place for preservation and use of books, laws and reports received from commonwealth; \$10 per month forfeit; in custody of clerk. Rep. R.L. ch.25 §27. 3§ '07 ch.117, 16 Feb.
- j **Nev.** State Printer may copyright state publications. 2§ '07 ch.210, 29 Mar.
- k **N. D.** Amdg. R.C.'05 §76 rel. to printing for state depts. *includes legis. work; \$30,000 [\$20,000] annual appropriation.* 1§ '07 ch.186, 2 Mar.
- n **N. D.** Amdg. R.C.'05 §2282 which requires public printing to be done in state: where combine keeps prices more than 15% above current, may be done without state. 1§ '07 ch.185, 19 Mar.
- p **Or.** State Printer may use 6, 8, 10 point type in lieu of nonpareil, minion, small pica; except in printing bills. 1§ '07 p.504, 20 Feb.
- q **Or.** Amdg. Ann.C.& S. §2430 rel. to number of session laws, reports, journals and executive messages to be printed. 1§ '07 ch.103, 23 Feb.
- r **S. D.** Gov., Sec. of State and State Treasurer to compose State Printing Comn.; public printing classified; bids; maximum rates; distribution; Gov. to appoint State Printer at \$150 per month while employed to superintend. Rep. P.C. §31-51, 55, 58, 59. 29§ '07 ch.205, 11 Mar.
- s **Tenn.** Requiring public printing to be done in state. 1§ '07 ch.593, 15 Apr.
- t **Tex.** Submitting amdt. to Const. 1876 art.16 §21: printing, stationery etc. for depts. to be supplied as provided by law. 4§ Rejected Aug. 1907. '07 p.416

## STATE DEPARTMENTS PUBLIC PRINTING

67

- u U. Amdg. R.S.'98 §962: State Bd. of Examiners to publish *not to exceed* 1000 copies of biennial reports of state officers and institutions; *institution having facilities may publish own report.* 1§  
'07 ch.136, 23 Mar.
- v Vt. State officers' reports to be kept in town clerk's office. 1§  
'06 ch.97, 7 Dec.
- w Vt. Gov. to appoint Comr. of Public Printing to advertise bids and let contracts for all public printing and stationery; and creating division of public documents in state library to distribute publications; how distributed. Rep. S. §5423-53, '04 ch.50. 32§  
'06 ch.214, 19 Dec.
- x Wash. Public printer to keep type of certain kinds of printing standing when required by law or Legis. Adds '05 ch.168 §6½  
'07 ch.174, 15 Mar.
- y Wis. Amdg. S.'98 §335c rel. to number of copies of dept. reports to be printed: of Railroad Comm. 2500 [1000]; *Comrs. of Fisheries* 2000; *State Forester* 3000. 1§  
'07 ch.519, 9 July

68

### *State printing boards and officers*

- a Cal. Rep. P.C. §349 rel. to election and term of State Printer. 1§  
'07 ch.316, 18 Mar.
- b Kan. Amdg. '05 ch.477 §4 and 15, rel. to State Printer: sale of worn-out and obsolete machinery and materials; manner of payment of wages. 3§  
'07 ch.393, 8 Mar.
- c Nev. Salary of Supt. of State Printing \$2400. 1§  
'07 ch.115, 26 Mar.

70

### Distribution

*See also 2354, State libraries*

- a N. J. State publications to be distributed to public libraries in state. 2§  
'07 ch.154, 10 May
- b Or. Distribution of public documents under supervision of State Librarian. 9§  
'07 ch.86, 23 Feb.
- c R. I. Sec. of State may distribute to public libraries state publications in his possession; also to libraries without state exchanging with state library. 2§  
'07 ch.1440, 18 Apr.

73

### Public and legal advertising

*See also 697, Legal notices*

- a Minn. Amdg. R.L.'05 §5515: official daily newspaper need be published but 5 times in week having legal holiday. 1§  
'07 ch.3, 18 Jan.
- b Minn. Status as legal newspaper not to be lost by reason of change of place of publication within same county. 1§  
'07 ch.100, 4 Apr.
- c Nev. Publication in newspapers of official advertising of state and decisions of Supreme Court. 3§  
'07 ch.213, 29 Mar.
- d N. J. Defining newspaper qualified to publish legal and official notices. 2§  
'07 ch.26, 4 Apr.

77

# Legislature

*See also 2, Statutes; 2455, Council (municipal)*

79

## Election. Number. Apportionment. Vacancies

- a **Cal.** Amdg. P.C. §227-29 rel. to election of members of Legis. Rep. §230. 4§ '07 ch.333, 19 Mar.
- b **Ct.** Amdg. G.S.'02 §1648-49: candidates for representative in Gen. Assembly to appear on ballot for *gen.* [local] officers. 2§ '07 ch.187, 27 June

80

## *Apportionment: general laws*

- a **Cal.** Rep. and reenacting P.C.pt.2 t.1 rel. to political divisions of state. 7§ '07 ch.334, 19 Mar.
- b **Id.** Amdg. '05 p.430 rel. to legis. apportionment. 3§ '07 p.472, 14 Mar.
- c **Ky.** Declaring unconst. '06 ch.139 redistricting state into representative districts. Discrepancy in population too great. Ragland *v.* Anderson 100 S. W. 865 (1907)
- d **Mich.** Apportioning state into 32 senatorial districts 2§ '07 ch.273, 27 June
- e **Nev.** Amdg. C.L.'00 §1906: legis. apportionment. 3§ '07 ch.100, 20 Mar.
- f **N. J.** Declaring unconst. '06 ch.133 apportioning state into Assembly districts. By Const. art.4 §3 electors of a county vote for all assemblymen from county. Smith *v.* Baker 64 A. 1067 (1906)
- g **N. Y.** Declaring unconst. '06 ch.431 apportioning state into legis. districts. Violative of constitutional requirements as to contiguity and compactness. In re Sherill 81 N. E. 124 (1907)
- h **N. Y.** Organizing state into senate districts and apportioning members of Assembly to counties. 3§ '07 ch.727, 25 July
- i **N. D.** Apportioning state into senate and representative districts. 1§ '07 ch.165, 13 Mar.
- j **Or.** Reapportioning state into senatorial districts; 30 members; ratio; hold over senators. 5§ '07 ch.269, 28 Feb.
- k **S. D.** Reapportioning state into senatorial and representative districts. 4§ '07 ch.13
- n **Wis.** Referring to next Legis. amdt. to Const. 1848 art.4 §3: legis. apportionment after [state and] U. S. census. '07 p.1293
- p **Wy.** Apportionment of senators and representatives. 2§ '07 ch.69, 19 Feb.

83

## *United States representatives*

- a **Wash.** Apportioning state into 3 congressional districts. 4§ '07 ch.181, 15 Mar.

84

## *United States senators*

- a **Col.** Requesting Cong. to propose amdt. to U. S. Const. permitting election of senators by direct vote. '07 p.638, 2 Apr.
- b **Ill.** Requesting Cong. to call constitutional convention to provide for election of senators by direct vote. '07 p.580, 10 May



## LEGISLATURE

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- c **Ind.** Requesting Cong. to call constitutional convention to provide for election of U. S. senators by direct vote. 2§  
'07 ch.299, 11 Mar.
- d **Ia.** Requesting Cong. to call constitutional convention to amend U. S. Const. so as to provide for election of U. S. senators by direct vote. 2§  
'07 p.281, 12 Mar.
- e **Kan.** Requesting Cong. to call convention for amdt. of Const. of U. S., to provide for popular election of U. S. senators.  
'07 ch.439, 6 Feb.
- f **Mich.** Submitting to people question of direct nomination of Gov., Lieut. Gov. and U. S. senators. Vote Sept. 1907.  
'07 p.526, 28 June
- Unconst. Not adopted by majority of Senate.  
Kelley v. Sec. of State 112 N. W. 978 (1907)
- g **Mo.** Candidate for U. S. senator to be nominated at primary; winner declared nominee of party caucus and members of such party in Legis. required to vote for him. 6§  
'07 p.262, 15 Mar.
- h **Mon.** Requesting Cong. to call convention to amend U. S. Const. so as to provide for election of senators by direct vote.  
'07 p.589, 21 Feb.
- i **Neb.** Requesting Cong. to call convention to amend U. S. Const. by providing for direct election of senators. 2§  
'07 ch.203, 3 Apr.
- j **Nev.** Requesting Cong. to call convention that U. S. Const. may be amended to provide for election of U. S. senators by popular vote.  
'07 p.445, 6 Mar.
- Same.  
'07 p.447, 20 Mar.
- k **N. J.** Requesting Cong. to call convention to submit amdt. to U. S. Const. providing for election of senators by direct vote.  
'07 p.736, 28 May
- n **N. J.** Expression of choice for U. S. senator at primaries; legislators to be notified by Sec. of State of vote; candidate for Legis. may file statement of intent to vote for such choice. 4§  
'07 ch.281, 28 Oct.
- p **N. C.** Requesting Cong. to call convention to amend U. S. Const. to provide for direct election of senators. '07 p.1436, 11 Mar.
- q **Or.** Requesting Cong. to propose amdt. to U. S. Const. providing for election of U. S. senators by direct vote. '07 p.511, 5 Feb.
- r **Wis.** Requesting Cong. to call convention to submit amdt. to U. S. Const. providing for election of senators by direct vote.  
'07 p.1291

90

### Members of Legislature

- a **Cal.** Submitting amdt. to Const. 1879 art.4 §2, 23: no bill to be introduced in Legis. after 40 [50] days of session except with consent of  $\frac{3}{4}$  [ $\frac{2}{3}$ ]; compensation of members \$1000 annually, \$10 per day for extra session [\$8 per day for not over 60 days]. 2§. Vote Nov. 1908.  
'07 p.1362, 14 Mar.
- b **Cal.** Amdg. P.C. §266 rel. to mileage of legislators: when traveling on business of either House during session to be allowed actual expenses. 1§  
'07 ch.459, 21 Mar.

90

- c **Del.** Referring to Legis. of 1909 amdt. to Const. 1897 art.2 §15  
rel. to compensation of members of Gen. Assembly: \$10 [\$5] per diem;  
presiding officers \$12 [\$6]. 1§ '07 ch.8
- d **Id.** Member of Legis., during term for which elected, not to  
hold position created by Legis. of which he is member; penalty. 2§  
'07 p.308, 13 Mar.
- e **Kan.** Submitting amdt. to Const. 1859, art.2 §3: compensation  
of members of the Legis. to be \$500 *for regular* and \$100 *for special*  
*session* [\$3 per day, but not more than \$150 for regular or \$90 for  
special session]; mileage 3c [15] per mile. 2§. Vote Nov. 1908.  
'07 ch.431, 9 Mar.
- f **Me.** Amdg. R.S.'03 ch.116 §11: compensation of members of  
Legis. \$300 [\$150]; of presiding officers \$450 [\$300]. 1§  
'07 ch.183, 28 Mar.
- g **Mass.** Members of Gen. Court may be paid semimonthly. Amds.  
R.L. ch.3 §10. 1§ '07 ch.163, 1 Mar.
- h **Minn.** Compensation of members of Legis. \$500 per year, and  
mileage; president of Senate and speaker of House \$5 per day extra.  
4§ '07 ch.229, 18 Apr.
- i **Mo.** Submitting amdt. to Const. 1875 art.4 §16: compensation of  
legislators \$750 *per annum* [\$5 per day first 70 days, \$1 thereafter].  
1§. Vote Nov. 1908. '07 p.457
- j **Nev.** Amdg. C.L.'00 §2098: members of Legis. to receive \$10  
[\$8] per day, not to exceed \$600 [\$400]. 2§ '07 ch.204, 29 Mar.
- k **Or.** Referring to Legis. of 1909 amdt. to Const. 1857 art.4 §29:  
compensation of legislators \$400 *for session* [\$3 per diem not to ex-  
ceed \$120]; \$10 [\$3] per diem for extra session; *actual traveling ex-*  
*penses* [\$3 for every 20 miles] each way. 1§ '07 p.503, 13 Feb.
- n **Tex.** Per diem of members of Legis. \$5 for 60 days, \$2 there-  
after; mileage \$5 for 25 miles. 3§ '07 ch.8, 18 Feb.
- p **Tex.** Submitting amdt. to Const. 1876 art.3 §24: compensation  
of members of Legis. not to exceed \$1000 in year of biennial session  
and \$5 per diem at special when held following year; mileage of 3c.  
3§. Rejected Aug. 1907. '07 p.419
- q **Wis.** Referring to next Legis. amdt. to Const. 1848 art.4 §21:  
compensation of legislator \$1000 [\$500] for regular session. '07 p.1295
- r **Wy.** Amdg. R.S.'99 §34: compensation of members of Legis.  
\$8 [\$5] per diem. 1§ '07 ch.101, 19 Feb.

95

## Internal organization

96

### Bribery. Illegal practices

*See also* 250, Crimes against the government

- a **Ark.** Joint legis. committee of 5 to confer with Gov. and con-  
sider investigation of charges of bribery at last session. 1§  
'07 p.1267, 2 Feb.

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96

- b **Minn.** Amdg. R.L.'05 §19 rel. to contempt of Legis.: witness not to be compelled to testify as to bribery under immunity. 1§  
'07 ch.319, 23 Apr.

99

### Lobbying

- a **Ala.** Defining corrupt solicitation of legislators; public officer not to accept gratuity from private person for lobbying; penalty. 2§  
'07 p.693, 14 Aug.
- aa **Ct.** Salaried state comrs., sheriffs, county comrs. and Capitol employees not to receive compensation for lobbying; penalty. 3§  
'07 ch.196, 11 July
- b **Fla.** Legis. committee may require person appearing before it to disclose interests represented; penalty. 4§  
'07 ch.117, 23 May
- c **Id.** Msdr. for paid agent or public officer to influence legislation in other than public manner. 2§  
'07 p.4, 29 Jan.
- d **Mo.** Legis. agents to register; expense statement; not to go on floor of House; penalty. 3§  
'07 p.351, 15 Mar.
- e **Neb.** Prohibiting "corrupt lobbying and corrupt practices concerning or in opposition or support of the enactment of laws or the allowance of claims against the state." 2§  
'07 ch.79, 3 Apr.
- f **N. D.** Voucher of life insurance company for expenditure in connection with legislation to state nature of business and interest of company. 2§  
'07 ch.149, 8 Mar.
- g **S. D.** Regulating legis. lobbying; registration of agents; efforts to be confined to appearance before committees; legis. expenses to be filed. 9§  
'07 ch.182, 7 Feb.
- h **Tex.** Defining and prohibiting lobbying. 5§  
'07 ch.79, 6 Apr.

100

### Officers and employees

- a **Ala.** Amdg. '03 p.27 §4 rel. to appointment of subordinate employees of Legis. 1§  
'07, p.259, 2 Mar.
- b **Ark.** Amdg. S.'04 §3742-43: additional legis. employees. 3§  
'07 ch.29, 14 Feb.
- c **Cal.** Submitting amdt. to Const. 1879 which adds art.4 §23a: expense for employees of Legis. limited to \$500 per day during regular sessions; \$200 for extra sessions. 1§. Vote Nov. 1908.  
'07 p.1358, 11 Mar.
- d **Col.** Rep. '99 ch.99 rel. to employees of Gen. Assembly. 1§  
'07 ch.209, 9 Apr.
- e **Ct.** Comptroller may pay employees of Gen. Assembly monthly. 1§  
'07 ch.4, 8 Mar.
- f **Ill.** Amdg. '77 p.111 §26, rel. to employees of Gen. Assembly: engrossing and enrolling clerks and assistants may be allowed pay for 10 days after adjournment. 1§  
'07 p.353, 11 May
- g **Mich.** Amdg. '73 ch.3 §2: per diem of senate proofreader \$6 [\$5], of assistant proofreader \$5. 1§  
'07 ch.85, 14 May
- h **Nev.** Amdg. C.L.'00 §1907-9: additional employees for Legis. 1§  
'07 ch.3, 29 Jan.
- i **N. Y.** Amdg. executive law '92 ch.682 §6, 7, 10, 12, 13, 16, 22 rel. to officers and employees of Legis. 7§  
'07 ch.427, 5 June

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- j **N. D.** Amdg. R.C.'05 §28 rel. to legis. employees. 3§  
'07 ch.164, 19 Mar.
- k **S. C.** Sergeant at arms of Senate and House to have exclusive care of respective chambers. 2§  
'07 ch.307, 20 Feb.
- n **Wis.** Amdg. S.'98 §111a rel. to employees of Legis. Add §111b-g, 0; rep. §320a. 10§  
'07 ch.550, 10 July
- p **Wy.** Creating bill clerk of Senate and of House; and 2d assistant enrolling and engrossing clerk of house. Rep. '05 ch.5. 4§  
'07 ch.1, 16 Jan.

102

## Records

- a **Ala.** Amdg. C.'96 §2240 rel. to time of delivery of journals to Sec. of State and public printer; compensation of Sec. of Senate and clerk of House for services after adjournment. 2§ '07 p.711, 13 Aug.
- b **Ct.** State Librarian to be furnished with 10 certified copies of Senate and House journals for distribution to specified libraries. 1§  
'07 ch.213, 17 July
- c **Ct.** Amdg. G.S.'02 §47 rel. to printing and distribution of Assembly journals: 300 [50] copies for State Library; \$300 for indexing and distribution. 1§  
'07 ch.257, 31 July
- d **Id.** Printing and daily distribution of journals to members of houses and heads of depts. 2§  
'07 p.327, 13 Mar.
- e **Mon.** Amdg. P.C. §402 rel. to distribution of legis. journals: 150 copies to State Historical and Miscellaneous Library. 1§  
'07 ch. 86, 4 Mar.

103

## Supplies

- a **Ark.** Sec. of Senate and clerk of House to furnish members of Gen. Assembly with 40 copies each of daily paper containing account of legis. proceedings or 280 copies of weekly and 25c worth of postage stamps. 7§  
'07 ch.31, 18 Feb.
- b **Del.** Supplies for Gen. Assembly to be in custody of State Librarian; member limited to \$25 worth in regular session and \$10 in special session 3§  
'07, ch.88, 14 Mar.

105

## Legislative procedure

- a **Cal.** Joint rules of Senate and Assembly. 28§ '07 p.1241, 28 Feb.

106

## Bills

- a **Wis.** Person paying \$12 to be supplied during session with legis. bills, resolutions, amds., enrolled bills and journals, together with appliances for filing; \$2 for enrolled bills with ch. numbers. Adds S.'98 §111m. 1§  
'07 ch.1, 31 Jan.

108

## Enrolling. Engrossing. Printing

- a **N. C.** Engrossing clerk for House of Representatives; \$4 per day and mileage of members. '07 p.1435, 11 Mar.
- b **Tex.** House of Representatives may change form of printed bills; dimensions and type. '07 p.422, 13 Feb.

## DIRECT LEGISLATION

110

### Local and private legislation

. See also 2433, Municipalities

- a **Vt.** Rep. S. §190-91 requiring prior publication or service of certain applications to Gen. Assembly. 1§ '06 ch.9, 6 Nov.

112

### Committee procedure

- a **Tex.** Method of procedure of legis. investigating committee; compelling attendance and testimony of witnesses; immunity of latter from prosecution; taking of testimony at distant point or without state by subcommittee. 8§ '07 ch.7, 18 Feb.

113

### Sessions

- a **Ala.** Submitting amdt. to Const. 1901 §46 and 48, providing for *biennial* [quadrennial] sessions of legis. 4§. Vote Nov. 1908. '07 p.909

115

## Direct legislation

- a **Cal.** Charter of city of Santa Monica; provides for initiative, referendum and recall. 160§ '07 p.1007, 1 Feb.
- b **Cal.** Charter of city of Alameda; provides for initiative and referendum; recall and limitation of number of saloons to be submitted. 251§ '07 p.1051, 7 Feb.
- c **Cal.** Charter of city of Santa Cruz; provides for initiative and referendum; recall to be submitted. 196§ '07 p.1105, 12 Feb.
- d **Cal.** Amdg. charter of city of Eureka; initiative and referendum. 2§ '07 p.1172, 25 Feb.
- e **Cal.** Charter of city of Long Beach; provides initiative, referendum, recall. 214§ '07 p.1176, 26 Feb.
- f **Cal.** Charter of city of Riverside; provides public utilities dept., initiative, referendum, recall. 267§ '07 p.1277, 9 Mar.
- g **Del.** Initiative for city of Wilmington. 8§ '07 ch.75, 9 Mar.
- h **Me.** Submitting amdt. to Const. 1819 art.4 pt.1 §1, pt.3 §1 and adding §16-22 to pt.3: state and local initiative and referendum. Vote Sept. 1908. '07 r.121, 20 Mar.
- i **Mo.** Submitting amdt. to Const. 1875: initiative and referendum. 1§. Vote Nov. 1908. '07 p.452
- j **Mon.** Making effective initiative and referendum provisions of Const. 10§ '07 ch.62, 2 Mar.
- k **Mon.** Initiative and referendum in cities and towns. 11§ '07 ch.167, 8 Mar.
- n **N. Y.** Referendum for Chautauqua county on contracts of over \$25,000 on petition of owners of 5% of property assessed; exceptions. 4§ '07 ch.264, 1 May
- p **N. D.** Referring to next Legis. amdt. to Const. 1889 §25: initiative and referendum in state legislation. 1§ '07 p.451, 23 Mar.

115

- q** **Or.** Providing for carrying into effect initiative and referendum powers as to gen. and mun. legislation: form of petition; printing and distribution of proposed measure and arguments for or against; canvassing; conflicting measures; to apply to mun. legislation. Rep. '03 p.244. 14§ '07 ch.226, 25 Feb.

- r** **S. D.** Initiative and referendum petition not to be defeated by technicality; signatures need not be on one paper; ditto marks allowable. Adds §28 to P.C. ch.2 art.3. 2§ '07 ch.166, 26 Feb.

## 116 **Citizenship. Civil and political rights**

*See also 129, Suffrage*

117

### **Citizenship**

118

#### **Naturalization**

*See also 135, Aliens (suffrage)*

- a** **Ct.** Rep. G.S.'02 §4413-14 rel. to naturalization. 2§ '07 ch.161, 27 June
- b** **N. Y.** Rep. '95 ch.927 rel. to naturalization. 1§ '07 ch.593, 16 July

119

#### **Restoration to citizenship**

- a** **Minn.** Person convicted of felony may be restored to citizenship on application to District Court after 1 year. 2§ '07 ch.34, 12 Mar.

122

### **Civil rights**

*See also 123, Race distinction*

- a** **Ark.** Rep. S.'04 ch.19 known as civil rights bill. 1§ '07 ch.303, 13 May

126

## **Elections. Political parties**

*See also for term of office, vacancies etc., the various officers under state and local government; also 222, School elections*

- a** **Cal.** Amdg. P.C. §1079, 1186, 1188-89, 1192, 1358, 1361 rel. to nominations and elections. 7§ '07 ch.345, 19 Mar.
- b** **Cal.** Conduct of mun. elections. Adds P.C. §1044, 1120-21, 1133, 1151; rep. '99 ch.54. 6§ '07 ch.346, 19 Mar.
- c** **Col.** Amdg. '05 ch.100 §2, 3, 5, 9, 10, 16, 24 rel. to elections. 7§ '07 ch.174, 3 Apr.
- d** **Del.** Directing Sec. of State to have printed 2000 copies of election laws. '07 ch.267, 9 Mar.
- e** **Mass.** Sec. of Commonwealth to prepare codification of election laws and suggest changes; report at present session. '07 r.16, 27 Feb.
- f** **Mass.** Amdg. sundry laws rel. to nominations and elections. 18§ '07 ch.429, 17 May
- g** **Mass.** "An act to codify the laws rel. to caucuses and elections." 456§ '07 ch.560, 26 June

## ELECTIONS

126

- h** **Minn.** New precincts, judges or registration unnecessary for special election in city of 50,000; provision for those not previously registered. 3§ '07 ch.148, 11 Apr.
- i** **Mon.** Generally amdg. P.C.pt.3 t.2 rel. to elections. 11§ '07 ch.88, 5 Mar.
- j** **N. M.** Joint legis. committee of 10 to draft registration and election law. '07 p.298
- k** **N. Y.** Amdg. election law '96 ch.909 §4: Gov. given discretion in calling special elections to fill vacancies. 1§ '07 ch.119, 3 Apr.
- n** **N. Y.** Words "election" or "town meeting" to apply to gen., special and mun. elections and town meetings. Adds Pen. C. §4122. 1§ '07 ch.544, 21 June
- p** **Pa.** Referring to Legis. of 1909 amdt. to Const. 1874 of sundry articles and sections rel. to terms of office of various state and local officials; election days; state and mun. elections to be separate. 12§ '07 p.835
- q** **Tenn.** Creating State Bd. of Elections: 3 members appointed by Gov. and Senate, but 2 of same political party; term 2 years; salary \$300; to appoint county bds. and issue commissions to comrs. 11§ '07 ch.435, 12 Apr.
- r** **Tenn.** County bds. of election comrs.; 3 members, 1 of opposite political party, to be appointed by State Bd.; to appoint precinct officials and canvass returns. 20§ '07 ch.436, 12 Apr.
- s** **Tex.** Amdg. '05 (ex. sess.) ch.11 §106,114,120,141 rel. to elections. Adds §114a. 6§ '07 ch.177, 30 Apr.
- t** **Wis.** Amdg. S.'98 §59 rel. to special city or village election: notice and officials same as at gen. mun. election. Adds §926 subdiv.31. 2§ '07 ch.531, 10 July

## Suffrage: qualifications

129

- a** **Del.** Amdg. Const. 1897 art.5 §4: voter not required to pay registration fee to qualify. 1§. Ratified by Legis. of 1907. '05 ch.4, 30 Mar.; '07 ch.7, 21 Jan.
- b** **Del.** Abolishing registration fee. 2§ '07 ch.66, 4 Mar.
- c** **Ga.** Submitting amdt. to Const. 1877 art.2 §1: qualification of electors. 13§. Vote Oct. 1908. '07 p.47, 21 Aug.

130

## Property. Poll tax

- a** **Ky.** Submitting amdt. to Const. 1891 §145 adding §14: voter must have paid state, county, mun., district & school taxes of previous year 60 days prior to election. 1§. Rejected Nov. 1907. '06 ch.55

134

## Nationality. Race

135

### Aliens

- a** **Wis.** Submitting amdt. to Const. 1848 art.3 §1 ¶2: qualified electors to include [white] persons of foreign birth declaring intention to become citizens *prior to Dec. 1, 1908*; *proviso* right hereby granted to cease Dec. 1, 1912. Vote Nov. 1908. Ratified by Legis. '05 p.994; '07 ch.661, 16 July '07 p.1283

**137 Suspension of right. Disqualifications**

- a **Id.** Prohibiting prostitutes and lewd persons from voting; penalty. 4§ '07 p.170, 7 Mar.

**142 Residence**

- a **Ark.** Submitting amdt. to Const. 1874 art.21 rel. to qualifications of elector: residence of 1 month in precinct, *town* or ward required. 1§. Vote Sept. 1908. '07 p.1256, 27 Apr.

**144 Charitable institution inmates**

- a **N. M.** Amdg. C.L.'97 §1647: inmates and employees, except civil service, of U. S. govt. hospital not entitled to vote or hold office. 1§ '07 ch.21, 16 Mar

**145 Soldiers home inmates**

- a **N. Y.** Referring to Legis. 1909 amdt. to Const. 1894 art.2 §3: Legis. may authorize inmates of Soldiers Home and Women's Relief Corps Home to vote in district where home located. 2§ '07 p.2508, 11 June

**146 Women**

*See also 2225, School elections*

- a **Vt.** Amds. S.§2982: women may hold office of town clerk, *treasurer, trustee of public libraries*, supt. of schools after residence of 1 year. 1§ '06 ch.93, 6 Nov.

**149 Corrupt practices. Election offenses**

- a **Ind.** Amdg. '05 ch.129 §167 prohibiting policemen and firemen engaging in politics. 1§ '07 ch.286, 12 Mar.
- b **Mass.** Amdg. R.L.ch.11 §6 rel. to sale of intoxicating liquor on election days: guests of victualer need not be registered to be served therewith. 1§ '07 ch.468, 31 May
- c **R. I.** Penalty for bribing or intimidating voters \$500 to \$1000 [\$500], 6 months to 2 years [3 months]. 2§ '07 ch.1428, 5 Apr.

**150 Corrupt practices acts**

All laws requiring candidates or committees to file a statement of election expenses are included under this head. These laws often include miscellaneous election offenses.

- a **Cal.** Itemized statement of expenditures to be filed by candidates and political committees; purposes for which money may be used; amounts spent by candidates limited according to length of term and salary; headquarters not to be in building where liquor sold; printed matter to have name of publisher; immunity of witnesses; penalty. Rep. '93 ch.16. 10§ '07 ch.350, 19 Mar.
- b **Ct.** Generally amdg. '05 ch.280 rel. to corrupt practices at elections. Rep. G.S.'02 §1694-98. 18§ '07 ch.240, 1 Aug.



## ELECTIONS

150

- c **Ia.** Candidates to file statement of election expenses; committee chairman to file statement of receipts and expenditures; statements to be open to public inspection; no treating near polls; penalty. 7§  
'07 ch.50, 13 Apr.
- d **Mass.** Prohibiting unsigned political advertisements; owner or employee of newspaper not to be paid to favor candidate; certain corporations not to make political contributions; penalty. 4§  
'07 ch.581, 28 June
- e **Mo.** Civic leagues etc. making report of fitness of candidate for public office to publish basis of information and file statement of expenses; penalty. 3§  
'07 p.261, 12 Apr.
- f **N. Y.** Amdg. Pen.C. §41n rel. to expenditures at elections: not more than 3 carriages in city district nor 6 in other districts may be hired for transportation of voters; actual traveling expenses of voter may be paid. 1§  
'07 ch.398, 3 June
- g **N. Y.** Limitation of amounts that may be expended by candidates for various offices. Adds Pen.C. §41z; penalty. 1§  
'07 ch.584, 15 July
- h **N. Y.** Amdg. election law '96 ch.909 §201-3, 205-6, 212-14 rel. to publicity of political contributions: by candidate; voucher for payment over \$5 [§10]; judicial inquiry. 8§  
'07 ch.596, 17 July
- i **S. D.** Record to be kept of money handled by political committee; expenditure limited to enumerated purposes; statements of expenditure of over \$100 to be filed; penalty. 10§ '07 ch.146, 6 Mar.
- j **Tenn.** To prevent corruption in political conventions, primaries and organizations. 10§  
'07 ch.402, 12 Apr.

154

### Corporation funds

- a **Ala.** Prohibiting corporations from making political contributions of corporate funds; penalty. 2§  
'07 p.406, 7 Mar.
- b **Del.** Prohibiting diversion of life insurance funds for political purposes. 2§  
'07 ch.104, 5 Mar.
- c **Ind.** Prohibiting political contributions by insurance companies; penalty. 2§  
'07 ch.160, 9 Mar.
- d **Ia.** Prohibiting political contributions by corp. and soliciting same; testimony under immunity; penalty. 4§  
'07 ch.73, 26 Mar.
- e **Mich.** Prohibiting diversion of funds of life insurance company for political purposes. 2§  
'07 ch.182, 18 June
- f **Minn.** Insurance company not to make political contribution 2§  
'07 ch.42, 14 Mar.
- g **Mon.** To prevent diversion of funds of life insurance company for political purposes. 2§  
'07 ch.74, 4 Mar.
- h **N. H.** Use of funds of life insurance companies for political purposes prohibited; penalty. 2§  
'07 ch.108, 3 Apr.
- ha **N. J.** Insurance companies not to make campaign contributions; msdr.; immunity from criminal prosecution for witnesses. 2§  
'07 ch.34, 10 Apr.

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- i **N. C.** Insurance companies not to make political contributions; immunity for witnesses; penalty. 2§ '07 ch.121, 5 Feb.
- j **N. D.** Prohibiting contribution of corp. funds for political purposes; penalty. 5§ '07 ch.58, 14 Mar.
- k **N. D.** Prohibiting diversion of funds of life insurance company for political purposes. 1§ '07 ch.152, 19 Mar.
- n **S. D.** Prohibiting corp. from making political contributions. 6§ '07 ch.142, 15 Feb.
- p **Tenn.** Prohibiting use of funds of insurance company for political purposes. 5§ '07 ch.443, 12 Apr.
- q **Tex.** Prohibiting political contributions by corp. 3§ '07 ch.84, 6 Apr.
- r **Tex.** Rel. to corp.: capital stock to be paid in; payment of remainder; increase or decrease of stock; dissolution; political contributions prohibited. 5§ '07 ch.166, 23 Apr.
- s **W. Va.** Prohibiting contribution of funds of life insurance company for political purposes; msdr. 1§ '07 ch.52, 26 Feb.
- t **Wis.** Life insurance company to report political contributions. Adds S. '98 §1953d. 1§ '07 ch.342, 22 June

155

## Illegal voting

- a **R. I.** Amdg. G.L.ch.14 §2: penalty for illegal voting *or inducing it \$500 to \$1000 [\$100 to \$500], 6 months to 2 years [60 days to 1 year].* 2§ '07 ch.1426, 5 Apr.

156

## Intimidation

- a **Ark.** Changing election day from 1st to 2d Monday in Sept. of even years; msdr. for proprietor of mill or shop to refuse employees opportunity to vote. Amds. S. '04 §2762. 4§ '07 ch.70, 8 Mar.
- b **Mass.** Declaring unconst. in entirety R.L.ch.65 rel. to licensing peddlers, held unconst. as to discrimination between products of U. S. and other countries, 76 N. E. 955. Parts inseparable.  
Commonwealth v. Hana 81 N. E. 149 (1907)

Libel, see 472

160

## Nominations. Parties

- a **Cal.** Amdg. P.C. §1367 rel. to primaries: party to file additional qualifications for voters; manner of voting. Adds §1361a. 2§ '07 ch.340, 19 Mar.
- b **Cal.** Electors to declare party affiliation at time of registering to be entitled to vote at primaries; change of party. Adds §1366a to P.C. 1§ '07 ch.352, 19 Mar.
- c **Fla.** Number and election of various committees of political parties, and their powers rel. to contests as to primary elections. 10§ '07 ch.18, 3 June
- d **Me.** Amdg. R.S.'03 ch.6 §108: notice of caucus to be signed by chairman and sec. *or by majority of committee.* 1§ '07 ch.98, 21 Mar.
- e **Me.** Amdg. R.S.'03 ch.6 §14-15 rel. to publication of nominees by Sec. of State. 2§ '07 ch.142, 26 Mar.

## ELECTIONS

160

- f Minn.** Declaring unconst. '99 ch.349 §27 in so far as it confers on Supreme Court original jurisdiction in primary election contests. Has original jurisdiction in remedial actions only.

In re Lauritsen 109 N. W. 404 (1906)

- g N. H.** Requiring selection of alternates for delegates to political conventions; caucus to be held 2d Tuesday of Sept.; Sec. of State to prepare official roll of convention which may be altered by decision of convention; unauthorized person not to vote in convention; penalties. 5§

'07 ch.105, 3 Apr.

- h N. H.** Amdg. '05 ch.93 §10: caucus act mandatory in cities of 12,000 and towns of 4500. 1§

'07 ch.145, 5 Apr.

- i N. Y.** Amdg. primary election law '98 ch.179 §13: to apply to all parties [parties casting 3% of vote at last election for Gov.]. 1§

'07 ch.296, 6 May

- j N. Y.** Amdg. primary election law '98 ch.179 §4 subdiv. 1 rel. to annual primary day in city of 1,000,000. 1§

'07 ch.504, 15 June

- k N. Y.** Amdg. primary election law '98 ch.179 §3 subdiv. 7 rel. to copies of preliminary enrolment books. 1§

'07 ch.744, 26 July

- n Pa.** Amdg. '06 ch.10 §12 rel. to primaries and conventions: state convention not required to be held within week of primary. 1§

'07 ch.160, 22 May

- p S. D.** Rep. '05 ch.107 regulating primaries and conventions. 1§

'07 ch.140, 7 Mar.

- q Vt.** Nominators of independent candidate to select distinctive party name. Amds. S. §86. 1§

'06 ch.2, 13 Nov.

- r Vt.** Amdg. '04 ch.2 rel. to preparation and use of caucus check list. 7§

'06 ch.1, 19 Dec.

- s Wis.** Amdg. '05 ch.369 to be S.'98 §11 subdiv. 26-28 rel. to election of delegates to national convention: expense to be paid as in judicial election; official ballot; state central committee of party to choose alternates. 3§

'07 ch.512, 9 July

- t Wy.** Amdg. R.S.'99 §223, 419 rel. to primary elections: elector may be challenged for residence; bribery prohibited. 2§

'07 ch.100, 21 Feb.

160(3)

### Direct nominations

- a Cal.** Submitting amdt. to Const. 1879 art.2 §2½: mandatory for Legis. to enact direct primary laws. 1§. Vote Nov. 1908.

'07 p.1271, 6 Mar.

- b Ct.** Direct nominations for candidates for town officers, justices of peace, representatives in Gen. Assembly and judge of probate for town of Manchester. 30§

'07 special acts ch.321, 28 June

- c Ill.** Declaring unconst. '06 p.463: direct nominations law. Title defective; invalid delegation of legis. powers; election not free and equal; violates right to vote cumulatively.

Rouse v. Thompson 81 N. E. 1109 (1907)

- d Ind.** Requiring direct nomination of local officers in counties containing cities of over 36,000; optional elsewhere. 58§

'07 ch.282, 12 Mar.

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- e Ia.** Nomination of party candidates and U. S. senator by direct vote; judge of Supreme, District and Superior Courts excepted. Rep. '04 ch.40, '06 ch.45, 46. 35§ '07 ch.51, 4 Apr.
- f Ia.** Sec. of State to have printed 5000 copies of primary election law. 1§ '07 p.292, 6 Apr.
- g Mass.** Nominations for state senator in 1st Hampden and 3d Middlesex districts and members of state political committees of such districts to be by direct vote in caucus. 3§ '07 ch.543, 21 June
- h Mich.** Submitting to people question of direct nomination of Gov., Lieut. Gov. and U. S. senators. Vote Sept. 1907.  
'07 p.526, 28 June  
Unconst. Not adopted by majority vote of Senate.  
Kelley v. Sec. of State 112 N. W. 978 (1907)
- i Mo.** Direct nominations for all elective officers. 36§  
'07 p.263, 18 Mar.
- j Mon.** Rep. '05 ch.99 which provided for direct nomination of candidates. 2§ '07 ch.55, 28 Feb.
- k Neb.** Direct primary law; includes U. S. senators. Rep. C.S. '05 §3326-39, 3341-46a<sup>m</sup>, 3362-73. 47§ '07 ch.52, 3 Apr.
- n N. J.** Direct nomination of candidates for Legis., county and mun. offices. 5§ '07 ch.278, 28 Oct.
- p N. J.** Expression of choice for U. S. senator at primaries; legislators to be notified by Sec. of State of vote; candidate for Legis. may file statement of intent to vote for such choice. 4§  
'07 ch.281, 28 Oct.
- q N. D.** Direct nominations for all candidates except presidential electors and delegates to national conventions. 41§ '07 ch.109, 19 Mar.
- r S. D.** Nominations for state and county officers and U. S. senators by direct vote; municipalities, townships and school districts may adopt. 77§ '07 ch.139, 20 Feb.
- s Wash.** Direct primary nominations for state, county, mun. and congressional officers; preference for U. S. senator. 38§  
'07 ch.209, 15 Mar.
- t Wis.** County clerk to make returns to Comr. of Labor and Industrial Statistics within 30 days after primary election. Adds S.'98 §87m. 1§ '07 ch.538, 10 July
- u Wis.** Amdg. S.'98 §11 subdiv. 1-25 rel. to direct nominations. Adds §11 subdiv.25m. 27§ '07 ch.666, 16 July

165

#### Nomination fee

- a Minn.** Amdg. R.L.'05 §184, 222 rel. to nomination fees for primary elections: members of Legis. \$10, county comr., where compensation under \$300, \$5. 2§ '07 ch.226, 18 Apr.
- b N. D.** Declaring unconst. '05 ch.109 §4 in so far as it requires payment of fees for printing name on official ballot. Prescribes unwarranted qualification for voters and candidates.

Johnson v. Grand Forks county 113 N. W. 1071 (1907)

## ELECTIONS

168

### Parties

- a **Wis.** Designation of party or principle not to appear on nomination petition or ballot for election in municipality adopting this act. Adds S. '98 §35 subd.v.1-13. 13§ '07 ch.670, 16 July

170

## Districts. Notices. Days

171

### Days. Hours

*See also 1604, Legal holidays*

- a **Ark.** Changing election day from 1st to 2d Monday in Sept of even years; msdr. for proprietor of mill or shop to refuse employees opportunity to vote. Amds. S. '04 §2762. 4§ '07 ch.70, 8 Mar.
- b **Cal.** Amdg. P. C. §1160: polls to be kept open till 6 [5] o'clock. 1§ '07 ch.62, 1 Mar.
- c **Neb.** Amdg. C.S.'05 §3218 rel. to elections: to be held in odd years; number of constables and justices. 2§ '07 ch.51, 5 Apr.
- d **N. J.** Villages may decide at special election to change time of mun. election to 4th Tuesday in April. 6§ '07 ch.162, 11 May
- e **N. D.** Amdg. R.C.'05 §638: county comrs. may extend time for keeping open polls. 1§ '07 ch.110, 19 Mar.
- f **Or.** Referring to Legis. of 1909 amdt. to Const. 1857 art.2 §14: gen. biennial election *1st Tuesday after 1st Monday in Nov.* [1st Monday in June] beginning 1910; then incumbents of offices except Gov. to hold over to 1st Monday, Jan. 1911. 1§ '07 p.503, 23 Feb.
- g **Wash.** Amdg. Ballinger's Ann.C.&S.'97 §1385: polls in municipality to be open 8 [9] a. m. to 8 [7] p. m. 1§ '07 ch.235, 16 Mar.

172

### Districts

- a **Ind.** Amdg. '89 ch.87 §1 rel. to formation of election precincts. 1§ '07 ch.289, 13 Mar.
- b **Mon.** Amdg. P.C. §4756: city council may divide ward into voting precincts. 1§ '07 ch.187, 9 Mar.
- c **N. Y.** Authorizing change of town election districts in certain cases. Adds election law '96 ch.109 §8b. '07 ch.470, 10 June
- d **N. Y.** Amdg. election law '96 ch.909 §8 rel. to alteration of election districts. 1§ '07 ch.472, 10 June
- e **S. D.** Cities and incorporated towns under 500 to constitute 1 election precinct. 3§ '07 ch.145, 25 Feb.
- f **Wash.** Amdg. '90 p.402 §7,21 rel. to division of election precincts. 2§ '07 ch.130, 12 Mar.
- g **Wis.** Amdg. S.'98 §16: local authorities may consolidate election districts. 1§ '07 ch.258, 19 June
- h **Wy.** Amdg. R.S.'99 §244 rel. to division of counties into election districts. 1§ '07 ch.27, 14 Feb.

173

### Notices

- a **Ct.** Amdg. C.S.'02 §1795, 2190 rel. to notice of town, city, borough and school meetings. 2§ '07 ch.138, 21 June

173

- b **Wis.** Amdg. S.'98 §20 rel. to publication and sending out by Sec. of State of notice of coming election. 1§ '07 ch.362, 24 June
- c **Wis.** Amdg. S.'98 §36 rel. to publication of notice of nominations by county *and mun.* clerks. 1§ '07 ch.563, 11 July

175

## Ballots. Voting

- a **Ind.** Amdg. '89 ch.87 §29: county clerks to be furnished with 25% excess ballots; pencils substituted for stamps to mark ballots. 2§ '07 ch.174, 9 Mar.
- b **Me.** Amdg. R.S.'03 ch.6 §25 rel. to preservation of ballots. 1§ '07 ch.149, 26 Mar.
- c **Minn.** Exempting candidate nominated at primary election from paying additional fee to have name put on ballot. 2§ '07 ch.429, 25 Apr.
- d **Vt.** Provisions of Australian ballot law not to apply to municipalities of less than 3000 [4000]. Amds. S. §131. 1§ '06 ch.5, 23 Nov.
- e **Wis.** Amdg. S.'98 §41: ballots to be printed within county or city unless bids excessive. 1§ '07 ch.308, 21 June

177

## Ballot boxes

- a **Ct.** Ballot boxes to be provided with locks; custody of keys. 4§ '07 ch.205, 11 July

179

## Challenge. Oath

- a **Mich.** Proceedings when voter is challenged where voting machine used. Adds '97 ch.61 §17. 1§ '07 ch.70, 30 Apr.
- b **Wis.** Amdg. S.'98 §61 rel. to voting by nonregistered elector: contents of affidavit; corroboration. 1§ '07 ch.33, 9 Apr.

181

## Form

- a **Fla.** Amdg. G.S.'06 §219 rel. to form of ballot. 1§ '07 ch.17, 22 May
- b **N. J.** Amdg. '03 ch.248 §8 rel. to form of primary ballot. 1§ '07 ch.179, 13 May
- c **Vt.** Names of candidates in local elections to be arranged alphabetically under each office. Amds. S. §99. 2§ '06 ch.3, 22 Nov.
- d **W. Va.** Amdg. C.ch.3 §34 rel. to form of ballot. 1§ '07 ch.71, 22 Feb.
- e **Wis.** Amdg. S.'98 §37, 38, 40, 51, 57 rel. to form of official ballot. Rep. §39, 52. 8§ '07 ch.583, 12 July
- f **Wis.** Form of ballot for submitting special question in town, village or city. Adds S.'98 §40a. 2§ '07 ch.664, 16 July
- g **Wis.** Designation of party or principle not to appear on nomination petition or election ballot in municipality adopting this act. Adds S.'98 §35 subdiv.1-13. 13§ '07 ch.670, 16 July
- h **Wy.** Rel. to indorsement on ballots. Amds. R.S.'99 §334, 341. 4§ '07 ch.54, 16 Feb.

## ELECTIONS

184

### Polls

- a **Minn.** Amdg. R.L.'05 §253 rel. to polling places: may be in 2d story of building in city under 20,000. 1§ '07 ch.108, 5 Apr.
- b **Minn.** Amdg. R.L.'05 §156: council in city under 2000 may designate single voting place; 1 set of officials, but separate ballot box for each district. 1§ '07 ch.365, 23 Apr.
- c **Vt.** Selectmen to determine number of additional polling places 40 [5] days before election. Amds. '04 ch.5 §1. 1§ '06 ch.6, 19 Nov.

185

### Voting machines

- a **Cal.** Amdg. '03 ch.226 §10 rel. to manner of voting with machines: vote in independent column for candidate with name printed on regular column, not to be counted. 1§ '07 ch.228, 15 Mar.
- b **Cal.** Amdg. '03 ch.226 §12: manner of inspecting voting machines after election by legis. committee. 1§ '07 ch.342, 19 Mar.
- c **Cal.** County clerk to appoint day for final inspection of voting machines; committees of political parties and independent candidates to be notified and may send representatives. Supplementing '03 ch.226. 3§ '07 ch.343, 19 Mar.
- d **Ct.** Rel. to voting machines: municipality may use at *any* [local] election; payment for; placing names of candidates for justice of peace where 15 to be elected. 4§ '07 ch.164, 10 July
- e **Mass.** Declaring unconst. R.L. ch.11 §270, '05 ch.313 §2 which provide for use of voting machines. Violative of provision of Const. requiring "written votes." *Nichols v. Minton* 82 N. E. 50 (1907)
- f **Mich.** Bd. of supervisors may direct use of voting machines in county. 5§ '07 ch.154, 17 June
- g **Mich.** Authorizing use in localities of voting machines at all elections; regulations. 23§ '07 ch.287, 27 June  
Declared unconst. Violates right of secret ballot.  
*Helme v. Bd. of Election Comrs. of Lenawee Co.* 113 N. W. 6 (1907)
- h **Mon.** Gov., Sec. of State and State Auditor to constitute Bd. of Voting Machine Comrs.; to inspect voting machines; requirements; permissive use; method of voting. 17§ '07 ch.168, 8 Mar.
- i **N. J.** Voting machines not to be used at special elections for bond issue in boroughs. 1§ '07 ch.245, 12 June
- j **N. J.** State Bd. of Voting Machine Comrs. abolished; duties devolved on Sec. of State. 2§ '07 ch.268, 12 Oct.
- k **N. Y.** Amdg. election law '96 ch.909 §167, 178 rel. to arrangement on voting machine of name of candidate nominated more than once. 2§ '07 ch.654, 20 July
- n **U.** Amdg. '05 ch.85 §4, 5, 8-13 rel. to voting machines. 8§ '07 ch.162, 25 Mar.
- p **Wis.** Amdg. '01 ch.459 §3, 8-10 to be S.'98 §44 subdiv.3, 8-10 rel. to use of voting machines. 4§ '07 ch.316, 21 June

187

## Registration

- a **Kan.** Amdg. '05 ch.103 rel. to registration: person failing to vote at a *gen.* election required to reregister. Rep. G.S.'01 §675. 2§  
'07 ch.199, 9 Mar.
- b **Kan.** Registration in cities of 30,000; appointment of election comr. by Gov. Rep. G.S.'01 ch.17a, art.11. 16§ '07 ch.122, 12 Mar.
- c **Nev.** Amdg. C.L.'00 §1566, 1569, 1571 rel. to registration of electors, 3§  
'07 ch.94, 20 Mar.
- d **N. J.** Amdg. '97 ch.161 §41: in elections in boroughs on bond issues register of voters at last *gen.* election to be used, *but those having acquired right since last election may qualify by affidavit.* 1§  
'07 ch.23, 1 Apr.
- e **Pa.** Amdg. '06 ch.13 §2, 3, 7, 12, 13 rel. to registration in cities of 3d class: registrars to receive \$5 [\$3] per day; additional day. 5§  
'07 ch.194, 25 May
- f **Pa.** Amdg. generally '06 ch.12 §5-7, 9-10, 15-17 which provides for registration in cities of 1st and 2d classes. 8§ '07 ch.286, 3 June
- g **S. C.** Amdg. C.C.'179 rel. to registration of voters. 1§  
'07 ch.305, 20 Feb.
- h **Wash.** Amdg. Ballinger's Ann. C.& S.'97 §1451, 1453: registration of voters in city of 1st class. 2§  
'07 ch.118, 11 Mar.
- i **Wis.** Amdg. S.'98 §23: registry of electors compulsory in city or village of over 5000 [2000] and town of 5000 [3000]; optional in city or village of 2000 to 5000 [3000]. 2§  
'07 ch.633, 13 July

188

## Boards. Officers

*See also 192, Election officers*

- a **Col.** Amdg. '05 ch.100 §3 subdiv.2: in cities of 5000, different registration committees in city election where city and county precincts different. 2§  
'07 ch.147, 2 Mar.
- b **Pa.** On consolidation of cities, bds. of registration to continue in charge of territory for which appointed till expiration of terms. 1§  
'07 ch.285, 3 June

189

## Days. Hours

- a **Neb.** Amdg. C.S.'05 §4861: registration days to be 1st Tuesday in Sept., 1st Tuesday in Oct., and 2d Saturday before Nov. election. 2§  
'07 ch.100, 1 Apr.

190

## Lists. Transfers

- a **U.** Amdg. R.S.'98 §816 rel. to registry lists: mun. elections. 1§  
'07 ch.157, 25 Mar.

192

## Election officers

- a **Ark.** Amdg. S.'04 §2840: judges and clerks of election to receive \$1.50 [\$1] per day. 2§  
'07 ch.263, 7 May
- b **Cal.** Amdg. P.C.'1202: ballot clerks abolished where machines are used. 1§  
'07 ch.109, 6 Mar.



## ELECTIONS

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- c **Fla.** Amdg. G.S.'06 §180: compensation of supervisor of registration to be fixed by county comrs. *at not less than \$100 per annum.* 2§ '07 ch.19, 3 June
- d **Me.** Amdg. R.S.'03 ch.6 §21: vacancy in office of election and ballot clerk to be filled by *mayor* [mun. officers] in cities. 1§ '07 ch.61, 13 Mar.
- e **Mo.** County Court to select judges of elections from list furnished by 2 parties casting highest vote at last gen. election. Adds R.S.'99 §7101a. 1§ '07 p.260, 20 Mar.
- f **N. C.** Amdg. Revisal '05 §2784: pay of election officers \$2 [\$1] per day. 1§ '07 ch.760, 8 Mar.
- g **S. D.** Amdg. P.C. §1871, 1933: judges and clerks of election to receive \$3 [\$2] per day; person carrying poll books to county auditor's office 10c [5c] per mile. 3§ '07 ch.144, 25 Feb.
- h **Vt.** Amdg. S. §119 rel. to appointment of ballot clerks. 1§ '06 ch.4, 12 Dec.

194

## Canvass. Contests

- a **N. J.** Ratification of acts of Legis. by cities and obligations assumed thereunder not to be void because of irregularity in election. 1§ '07 ch.4, 19 Feb.

195

## Count. Canvass. Returns

*See also 192, Election officers*

- a **Ia.** Amdg. C. §1164: *Sec. of State to bind abstracts of election returns in book form* [copy in book]. 1§ '07 ch.52, 27 Mar.
- b **Or.** Adding §2833a to Ann. C. & S: county clerk to keep permanent record of results of elections. 1§ '07 ch.195, 25 Feb.

196

## Contests

- a **Cal.** Rep. P.C. §288-95 rel. to election contests. 1§ '07 ch.288, 18 Mar.
- b **Cal.** Amdg. C.C.P. §1118 rel. to setting day by Superior Court for election contests. 1§ '07 ch.292, 18 Mar.
- c **Cal.** Amdg. C.C.P. §1115, 1118, 1125 rel. to contest of election for mun. office. 3§ '07 ch.341, 19 Mar.
- d **Cal.** Amdg. C.C.P. §1123, 1126: party declared elected by Superior Court entitled to certificate which shall be good pending determination of appeal. 3§ '07 ch.344, 19 Mar.
- e **Cal.** Contesting election in case of tie. Adds C.C.P. §1124. 1§ '07 ch.353, 19 Mar.
- f **Cal.** Amdg. C.C.P. §1115, 1126 rel. to election contests: to be begun in 20 [40] days; *tie vote*; appeal to Supreme Court *in 30 days*. Adds §1124. 3§ '07 ch.498, 23 Mar.
- g **Col.** Amdg. Ann. S.'91 §1675 rel. to procedure in election contest. 1§ '07 ch.124, 8 Apr.
- h **Ct.** Amdg. G.S.'02 §1823 rel. to city and town election contests. 1§ '07 ch.6, 8 Mar.

196

- i Mass. Amdg. R.L. ch.11 §98 rel. to disposition of ballots and check lists used at caucuses: *to be sent to town or city clerk* [retained by caucus clerk]. 1§ '07 ch.330, 24 Apr.
- j Minn. Amdg. R.L.'05 §337 rel. to inspection of ballots in election contest. 1§ '07 ch.475, 26 Apr.
- k N. Y. Providing for judicial recount of mayoralty election in city of New York Nov. 1905. 4§ '07 ch.538, 18 June  
Regulating procedure and providing for cost of same. 2§ '07 ch.558, 27 June  
Unconst. Court not bipartizan bd.; trial by jury denied.  
Metz v. Maddox 82 N. E. 507 (1907).

200

## CRIMINAL LAW

Penal Code and Code of Criminal procedure

202

## Criminal procedure

For laws applying both to civil and criminal procedure *see* 695, Civil procedure

- a Cal. Amdg. Pen. C. §825: atty. entitled to visit prisoner at his *or relative's request; officer refusing guilty of misd. and to forfeit \$500 to person aggrieved.* 1§ '07 ch.485, 22 Mar.
- b Cal. Where pleading in criminal action lost, copy may be filed. Adds §810 to Pen.C. 1§ '07 ch.485, 22 Mar.
- c Wis. Amdg. S.'98 §677, 680 rel. to time of payment of fees of witnesses, jurors and interpreters in criminal cases in Justice Court and criminal examinations. Adds §681. 4§ '07 ch.625, 13 July

197

## Apprehension, prosecution, indictment

- a N. M. Amdg. C.L.'97 §3428: warrants may issue on information and belief when approved in writing by district atty. 1§ '07 ch.9, 6 Mar.

204

## Apprehension

- a Kan. Service of process on corporations in criminal cases; judgment by default on disregard of summons. 5§ '07 ch.262, 28 Feb.

206

## Detectives

- a Me. Amdg. R.S.'03 ch.115 §3 and ch.131 §13 rel. to private detectives: license \$10 [\$50]; bond of \$500. 2§ '07 ch.9, 13 Feb.
- b Minn. Licensing and regulation of private detectives. 9§ '07 ch.457, 25 Apr.

*Identification, see* 369

208

## Reward

- a Neb. Amdg. C.S.'05 §8039 rel. to rewards for apprehension of criminals; expenses not to exceed \$300. 2§ '07 ch.175, 30 Mar.
- b N. D. Amdg. R.C.'05 §9202 rel. to method of paying reward for arrest and conviction of cattle or horse thief. 1§ '07 ch.43, 14 Mar.

## CRIMINAL PROCEDURE

209

### Bail

- a **Ari.** "An act to amend the procedure on taking bail." Amends Pen. C.'01 §1078-82, 852-53. 8§ '07 ch.19, 5 Mar.
- b **Ct.** Modification of bond in criminal prosecution where insufficient or excessive. 1§ '07 ch.199, 11 July
- c **Ct.** Clerk of Superior Court may take recognizance for appearance of accused if court be not in session. 1§ '07 ch.231, 27 July
- d **Me.** Adds §28-31 to R.S.'03 ch.134: prisoner may deposit amount of bail with court in lieu of sureties. 4§ '07 ch.36, 6 Mar.
- e **Me.** Amdg. R.S.'03 ch.101 §36: bail comr. not to appear as atty. for person bailed by him. 1§ '07 ch.41, 6 Mar.
- f **Mass.** In case of msdr. maximum fee for taking bail \$2. 1§ '07 ch.327, 23 Apr.
- g **Mo.** Amdg. R.S.'99 §2543: when judge out of county, clerk may take bail bond. 1§ '07 p.244, 22 Mar.
- h **S. D.** Amdg. C.C.P. §171: surety on arrest and bail may justify before *clerk* or judge of Circuit Court. 2§ '07 ch.118, 2 Mar.
- i **Tex.** Release on bail of defendant in criminal prosecution till verdict, and pending appeal from sentence under 15 years. 11§ '07 ch.19, 15 Mar.
- j **Tex.** Amdg. Crim. P.'95 art.325 rel. to bail in case of felony: not necessary for accused to appear in court. 1§ '07 ch.71, 5 Apr.
- k **Vt.** Within 10 days after adjournment of County Court clerk to report to Atty. Gen. bonds called and not paid. 2§ '06 ch.89, 7 Dec.
- n **Wy.** Amdg. R.S.99 §5182 rel. to bail: prisoner may deposit cash with court in lieu thereof. 1§ '07 ch.63, 16 Feb.

210

### Extradition

- a **Me.** Amdg. R.S.'03 ch.139 §9 rel. to extradition: Gov. may investigate facts and determine expediency of granting. 1§ '07 ch.14, 15 Feb.

211

### Habeas corpus

- a **Cal.** Amdg. Pen. C. §1475 rel. to issuance of writs of habeas corpus. 1§ '07 ch.286, 18 Mar.
- b **Wis.** Amdg. S.'98 §3410 subdiv.4 rel. to petition for habeas corpus. 1§ '07 ch.261, 19 June

211(5)

### Limitations

- a **Col.** Amdg. G.S.'83 §975: limitation in criminal action not to run after filing complaint. 2§ '07 ch.159, 6 Apr.
- b **N. C.** Amdg. Revisal '05 §3147: limitation of 2 years for msdrs. to apply to petit larceny of property worth less than \$5. 1§ '07 ch.408, 26 Feb.

212

### Prosecutions

- a **Id.** District atty. may substitute for defective complaint in Justice or Probate Court. 2§ '07 p. 110, 5 Mar.

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212

- b **Mo.** Amdg. R.S.'99 §2476a: person charged with *felony* [capital offense] accorded right of preliminary examination. 1§  
'07 p.243, 15 Apr.
- c **N. M.** Penalty for malicious prosecution 6 months or \$50 to \$100 and costs. Rep. C.L.'97 §1241, 3439-40, 3447. 4§ '07 ch.61, 20 Mar.

213

## Grand jury

- a **Ala.** Amdg. C.'96 §5001: organization of grand jury at *adjourned* or special term authorized. 1§  
'07 p.640, 9 Aug.
- b **Fla.** Amdg. G.S.'06 §3851: grand jury to consist of 15 to 18 persons. 1§  
'07 ch.51, 19 Apr.
- c **Mo.** Amdg. R.S.'99 §3770a: grand jury to make certain investigations annually. 1§  
'07 p.320, 18 Mar.
- d **Pa.** Cost of serving subpoenas and witness fees in special investigation by grand jury to be paid by county. 1§ '07 ch.128, 7 May
- e **R. I.** Amdg. Court and Practice Act '05 §111 rel. to time of sittings of grand juries. 2§  
'07 ch.1442, 19 Apr.

214

## Indictment

- a **N. C.** Indictment not to be quashed because of grand juror not having paid taxes or having interest in pending suit. 1§  
'07 ch.36, 25 Jan.
- b **N. C.** Prohibiting waiver of indictment; exceptions. 2§  
'07 ch.71, 30 Jan.
- c **Pa.** Allowing defendant in criminal action to enter plea of guilty and be sentenced without indictment; homicide excepted. 1§  
'07 ch.55, 15 Apr.
- d **S. D.** Amdg. Crim. P. §86 rel. to limitation of filing indictment or information: 3 years in quasi criminal or penal cases. 2§  
'07 ch.129, 4 Mar.
- e **S. D.** Indictment for larceny or robbery sufficient without particular description of money stolen. 1§  
'07 ch.126, 9 Mar.

216

## Criminal trials

- a **Col.** Amdg. G.S.'83 §1616 rel. to delay in bringing accused to trial. 2§  
'07 ch.161, 6 Apr.
- b **N. D.** Amdg. R.C.'05 §9885: copy of indictment to be delivered to defendant on arraignment. 1§  
'07 ch.78, 16 Feb.

217

## Change of venue or judge

- a **Fla.** Change of venue in criminal courts of record. 2§  
'07 ch.44, 7 May
- b **Id.** Change of venue at instance of county atty. on affidavit of 2 resident taxpayers alleging impossibility of impartial trial. 8§  
'07 p.168, 7 Mar.
- c **Id.** Amdg. R.S.'87 §8285 rel. to change of venue in Justice and Probate Courts: notice to be given 24 hours before trial or defendant must pay costs. 1§  
'07 p.215, 12 Mar.

## CRIMINAL PROCEDURE

217

- d **Kan.** Defendant and state each entitled to 1 change of venue in msdr. cases before justice of peace. 2§ '07 ch.264, 9 Mar.
- e **N. D.** Amdg. R.C. §9921: where no verdict in criminal action returned, defendant entitled to 2d change of venue. 1§ '07 ch.85, 13 Mar.  
Same. 1§ '07 ch.86, 19 Mar.

219

## Evidence

*See also 246, Perjury*

- a **Col.** Variance in name of person or thing between information and proof in criminal action not ground for acquittal or to defeat indictment unless prejudicial. 1§ '07 ch.163, 22 Mar.
- b **Ct.** Amdg. '05 ch.100 rel. to detention of witnesses in criminal case. 5§ '07 ch.118, 13 June
- c **R. I.** Clerk of District Court to issue summons requiring witness to attend criminal prosecution in any other New England state; mileage 10c each way; \$5 per diem; penalty \$200. 2§ '07 ch.1462, 23 Apr.
- d **S. D.** Justice of peace, police justice or mun. judge may subpoena and examine witnesses before issuance of warrant. 1§ '07 ch.200, 27 Feb.
- e **U.** Magistrate may require witness in criminal prosecution to give bond; testimony may be reduced to writing and used if witness can not be found with due diligence. 2§ '07 ch.129, 23 Mar.
- f **Vt.** Amdg. '00 ch.90 §4: state's atty. may have use of laboratory of hygiene on order of Atty. Gen.; pathologist of laboratory to perform autopsies on order of Supreme Court judge or Atty. Gen. 2§ '06 ch.172, 15 Nov.

220

## Competence

- a **Cal.** Amdg. Pen. C. §1322: husband and wife competent witnesses against each other in case of neglect of child, bigamy and adultery. 1§ '07 ch.230, 15 Mar.
- b **Tex.** Amdg. Crim. P. '95 art.790 rel. to confession of guilt: if made in custody, to be in writing or signed and contain warning of probability of use as evidence. 1§ '07 ch.118, 16 Apr.

221

## Depositions

- a **Mon.** Amdg. Pen. C. 2480-91 rel. to taking deposition of witness at instance of defendant *or state* in criminal proceedings. 13§ '07 ch.109, 6 Mar.

223

## Witness fees

- a **Wis.** Amdg. S.'98 §677, 680 rel. to time of payment of fees of witnesses, jurors, and interpreters in criminal cases in Justice Court and criminal examinations. Adds §681. 4§ '07 ch.625, 13 July

224 **Judgment. Sentence. Execution**

- a N. Y. Amdg. Crim. P. §527, 529 rel. to certificate of reasonable doubt to stay execution on appeal from conviction. 2§  
'07 ch.479, 11 June
- b S. D. Amdg. Justice C. § 141 rel. to judgment in criminal trial in Justice Court: must be rendered immediately after verdict; if "*guilty*" and on Sunday to be rendered next business day. 1§  
'07 ch.123, 7 Mar.

225 **Appeals. New trial**

- a Ala. State to repay to convict whose conviction is reversed on appeal value of services rendered prior to reversal. 3§  
'07 p.718, 13 Aug.
- aa Cal. Amdg. Pen. C. §1239 rel. to appeals in criminal cases: may be taken from judgment on 90 days [1 year]. 1§ '07 ch.284, 18 Mar.
- b Cal. Amdg. Pen. C. §1467 rel. to appeals to Superior Court in criminal cases: must be taken in 15 days from judgment and 10 days from order. 1§ '07 ch.285, 18 Mar.
- c Col. Amdg. G.S.'83 §972: writ of error allowed people in criminal action on questions of law and motions. 2§ '07 ch.162, 6 Apr.
- d Id. Amdg. R.S.'87 §8043, 8047: state may appeal in criminal case from reception or rejection of testimony and as to instructions to jury; decision not to affect judgment in favor of defendant but to be for future guidance of courts. 2§ '07 p.508, 15 Mar.
- e Ill. Amdg. R.S.'74, ch.38, §462, 463, rel. to supersedeas in criminal cases, and letting to bail pending appeal. 2§ '07 p.272, 25 May
- f Kan. City of 2d or 3d class may appeal certain cases from Police Court to District Court. 1§ '07 ch.261, 7 Mar.
- g Mo. Appeal from conviction of felony, except where sentence is death, to be perfected in 12 months. 2§ '07 p. 244, 7 Mar.
- h N. Y. Amdg. Crim. P. §750: for purposes of appeal, conviction for crime deemed final judgment. 1§ '07 ch.685, 20 July
- i N. D. Typewritten brief on appeal to Supreme Court in criminal case where defendant too poor to pay for printing. 2§  
'07 ch.3, 19 Mar.
- j S. D. Appeals in criminal cases; writ of error unnecessary. 6§  
'07 ch.120, 20 Feb.
- k Vt. Amdg. S. §1936, 1938, 1939: appeal and waiver of appeal in criminal cause in Justice or Mun. Court to be taken within 21 days. 3§  
'06 ch.72, 10 Dec.
- n Wis. Amdg. S.'98 §4761: notice of appeal from conviction in Justice Court to be given in 5 days [24 hours]. 1§ '07 ch.159, 4 June
- p Wis. Amdg. S.98 §3766 rel. to appeal from Justice Court. 1§  
'07 ch.160, 4 June
- q Wis. Stay of execution in criminal action on certificate of reasonable doubt granted by justice of Supreme Court. Adds S.'98 §4793m. 1§ '07 ch.223, 15 June

## CRIMINAL PROCEDURE

226

### Expenses. Costs. Fines

- a Ct. Amdg. G.S.'02 §1453: Judge of *Superior Court, Criminal Court of Common Pleas or District Court of Waterbury* or of city, town or borough court may remit fine in furtherance of justice. 1§  
'07 ch.55, 1 May
- b Kan. Amdg. G.S.'01 §5456 rel. to costs in case of discharge of recognizance. 2§  
'07 ch.265, 28 Feb.
- c N. J. Return of fines by bd. of freeholders on final judgment for defendant on appeal. 1§  
'07 ch.157, 10 May
- d N. M. Amdg. C.L.'97 §3448: fees of witnesses, costs, *per diem of jurors, interpreters, stenographers and bailiffs* in criminal prosecution to be paid by county. 2§  
'07 ch.78, 21 Mar.
- e R. I. Amdg. G.L. ch.295 §12: officer serving precept in criminal case to be allowed expenses which are to be taxed in bill of costs. 1§  
'07 ch.1443, 19 Apr.
- f Vt. No costs in prosecution for msdr. in Justice or Mun. Court where there has been prior conviction for same offense. 1§  
'06 ch.73, 30 Oct.
- g Vt. Costs of commitment to house of correction taxed against respondent to be \$5. [not more than \$12]. Amds. S. §5208. 1§  
'06 ch.196, 30 Oct.
- h Vt. Allowing payment of fines after commitment to jail. 2§  
'06 ch.201, 16 Nov.

227

### Counsel and expenses of poor prisoner

- a N. H. Amdg. '01 ch.104 §1: poor person accused of offense with punishment of 5 [30] years to have counsel assigned. 1§  
'07 ch.136, 5 Apr.
- b Pa. Counsel to be assigned to person without means charged with murder; expenses and compensation allowed, not to exceed \$200. 3§  
'07 ch.27, 22 Mar.

228

### Sentence

*See also 363, System of sentencing and reform*

- a N. D. Amdg. R.C.'05 §10088 rel. to time for rendering judgment in criminal case: if impossible during term, may be rendered at subsequent term. 1§  
'07 ch.88, 13 Mar.

229

### Death penalty

- a Kan. Amdg. G.S.'01 §1993: death penalty for murder in 1st degree abolished. Rep. G. S.'01 §5703-9. 2§  
'07 ch.188, 30 Jan.
- b Mon. Amdg. Pen. C. §353: jury or court may fix penalty for murder in 1st degree at death or life imprisonment. 2§  
'07 ch.179, 9 Mar.
- c Nev. Amdg. C.L.'00 § 4672: jury may fix penalty for murder in 1st degree at death or life imprisonment; on plea of guilty court to have same discretion. 1§  
'07 ch.93, 20 Mar.
- d Nev. Amdg. C.L.'00 §4431-32 rel. to resentence to death. 2§  
'07 ch.198, 29 Mar.

229

- e N. J. Undersheriff may carry out execution by hanging. 1§  
'07 ch.1, 22 Jan.
- f N. J. Amdg. '06 ch.79 §6 rel. to witnesses at electrocution:  
4 assistants to principal keeper and 6 newspaper representatives in  
addition. 1§  
'07 ch.104, 25 Apr.
- g N. J. Amdg. '06 ch.79 § 3: electrocution to take place in build-  
ing in *State Prison inclosure* [some isolated place]. 1§  
'07 ch.105, 25 Apr.
- h N. Y. Amdg. Crim. P. §523: in case of judgment of death dis-  
trict atty. to notify official having custody of defendant of appeal. 1§  
'07 ch.78, 27 Mar.

230

## Jury

*See also 726, Civil procedure*

- a Mon. Amdg. Pen. C. §2097 which provides for conduct of jury  
to place of crime *or in case involving identity to place where live stock*  
*is.* 1§  
'07 ch.113, 6 Mar.

231

## Challenge

- a Id. Amdg. R.S.'87 §7830: in trial for crime not punished by  
death or life imprisonment state to have 6 [3] peremptory challenges.  
2§  
'07 p.171, 8 Mar.
- b N. C. Amdg. Revisal '05 §3264: in other than capital cases state  
to have 2 peremptory challenges *for each defendant.* 2§  
'07 ch.415, 26 Feb.

232

## Charge to jury

- a Mon. Amdg. Pen. C. §2070 rel. to instructions to jury in crim-  
inal trial: requests to be submitted and argued *without presence of*  
*jury*; objections; new trial. 2§  
'07 ch.82, 4 Mar.

233

## Criminal jurisdiction

- a Mo. Amdg. R.S.'99 §2748: prosecution of msdr. before justice  
of peace to be in township where committed, except where change of  
venue granted. 1§  
'07 p.245, 8 Mar.

234

## Crimes and offenses

Penalties incidental to enforcement of statutes are not duplicated here, but  
references to them will be found in the subject index under Penalties

- a N. M. "An act to define and punish certain crimes." Amds.  
C.L.'97 §1378-81; rep. §1063-66, 1072-78, 1116, 1132, 1382, 3769. 23§  
'07 ch.36, 18 Mar.

236

## Crimes against the government

- a Or. Amdg. Ann. C. & S. §1878: penalty for intimidating public  
officer to influence official conduct. 1§  
'07 ch.171, 25 Feb.



## CRIMES AND OFFENSES

### 238 Administration of justice

#### 240 Contempt of court

- a **Cal.** Amdg. C.C.P. §1209, 1210 rel. to acts constituting contempt of court: false pretense of acting under authority of process of court and practising law without license included. 2§ '07 ch.255, 16 Mar.
- b **U.** Amdg. R.S.'98 §3367 rel. to contempt of court. 1§  
'07 ch.5, 19 Feb.

#### 242 Escape of convict

Aiding or permitting escape. For arrest and punishment of convict, *see* 352

- a **Cal.** Amdg. Pen. C. §109: prohibits assisting *prisoners with parole revoked, escapes* or inmates of prison, *jail or reformatory* to escape. 1§  
'07 ch.222, 15 Mar.

#### 246 Perjury

- a **Del.** Msdr. to make false oath rel. to matter required to be done by law. 1§  
'07 ch.256, 21 Mar.

#### 250 Bribery

*See also* 96, Legislature; 149, Corrupt practices

- a **Minn.** Prohibiting soliciting or receiving bribe by public officer; witness compelled to testify under immunity. 1§  
'07 ch.325, 23 Apr.
- b **Minn.** Bribery of public officer defined; witness compelled to testify under immunity. 1§  
'07 ch.353, 23 Apr.
- c **Nev.** Rep.'03 ch.106 rel. to bribery of voters and legislators. 1§  
'07 ch.116, 26 Mar.
- d **Nev.** Defining extortion by public officers; penalty. 3§  
'07 ch.163, 29 Mar.
- e **Wash.** Person having committed bribery may be compelled to testify under immunity. 2§  
'07 ch.60, 4 Mar.

#### 252 Flags: desecration

- a **Ill.** Msdr. to desecrate U. S. or state flag. 5§ '07 p.351, 25 May
- b **Nev.** Defining and prohibiting desecration of U. S. flag; penalty. 1§  
'07 ch.104, 20 Mar.
- c **Pa.** Felony to use as advertisement or otherwise desecrate U. S. or state flags. 3§  
'07 ch.174, 23 May

#### 256 Crimes against public order and security

*See also* 370, Public order

#### 258 Disorderly conduct

- a **Ark.** Amdg. S.'04 §1655-56: unlawful to disturb assemblage in church, *lodge or school* or to injure place used for public *gathering or* worship. 3§  
'07 ch.287, 9 May
- b **Fla.** Unlawful to disturb school or religious service or lawful assembly of people. 3§  
'07 ch.124, 3 June

258

- c Or. Amdg. Ann.C.&S. §1915 rel. to reckless driving and use of profane language in unincorporated towns and villages. 1§  
'07 ch.22, 15 Feb.

260

*Vagrancy*

- a Ala. Defining vagrancy and providing for its punishment. 2§  
'07 p.453, 7 Mar.
- b Ark. Amdg. '05 ch.283 §2 rel. to vagrancy: punishment by imprisonment; vagrant may be on contract like other prisoners. 1§  
'07 ch.375, 23 May
- c Fla. Amdg. G.S.'06 §3570 rel. to definition of vagrant. 1§  
'07 ch.125, 3 June
- d Ill. Amdg. R.S.'74 ch.38 §271 rel. to arrest and punishment of vagabonds. 1§  
'07 p.271, 24 May
- e N. Y. Person more than once convicted as pickpocket, thief or burglar, without visible means of support, found loitering in public place and unable to give explanation of presence to be deemed vagrant. Adds Crim. P. §887 subdiv.10. 1§  
'07 ch.616, 18 July
- f N. C. Inmates of bawdy house declared vagrants; must testify under immunity; duties of police; penalties. 3§ '07 ch.1012, 11 Mar.
- g Tenn. Defining and prohibiting vagrancy. 11§ '07 ch.256, 8 Apr.

262

*Weapons*

*See also* 1118, Air guns, etc.

- a Ark. Amdg. S.'04 §1612 which prohibits carrying certain weapons: penalty fine or imprisonment. 2§ '07 ch.132, 29 Mar.
- b Ark. Amdg. S.'04 §1652: msdr. to draw deadly weapon or serve notice to intimidate person from doing lawful act. 2§  
'07 ch.330, 17 May
- c Ct. Prohibiting carrying concealed weapons; penalty; exceptions. 3§ '07 ch.140, 21 June
- d Id. Msdr. to point or shoot firearm at or toward person without malice; action for damages for injury. 4§ '07 p.29, 19 Feb.
- e Minn. Prohibiting hunting or carrying of loaded rifle for hunting within 3 miles of city of 50,000. 1§ '07 ch.300, 22 Apr.
- f Mon. Msdr. for parent to allow child to carry loaded firearm. 3§  
'07 ch.111, 6 Mar.
- g N. Y. Destruction of dangerous weapons taken from persons unlawfully carrying same. Adds Pen.C. §411a. 1§ '07 ch.582, 15 July
- h R. I. Amdg. G.L. ch.283 §24: penalty for carrying concealed weapons \$10 to \$100 [\$20] and 3 months. 2§ '07 ch.1436, 17 Apr.

264 **Crimes against public morals and the family**

*See also* 895, Cruelty to children and animals; 929, Sunday observance

- a Cal. Msdr. to indulge in immoral practices or to be habitually drunk in presence of child in one's custody. Adds §273g to Pen.C. 1§  
'07 ch.413, 21 Mar.

# CRIMES AND OFFENSES

- 264  
b **Mich.** Felony for man marrying to escape prosecution for rape, bastardy or seduction to desert wife within 5 years. 1§  
'07 ch.284, 27 June
- 266 *Abortion*  
a **Mo.** Corroborated dying declaration of woman competent to prove abortion. 1§ '07 p.245, 6 Mar.  
b **Mo.** Amdg. R.S.'99 §1825 rel. to abortion. 1§ '07 p.230, 20 Mar.  
c **Tex.** Amdg. Pen. C.'95 art.641: abortion defined. 1§  
'07 ch.33, 20 Mar.
- 268 *Adultery*  
a **Neb.** Amdg. C.S.'05 §7872 rel. to penalty for adultery. 2§  
'07 ch.172, 8 Feb.  
b **N. Y.** Defining and prohibiting adultery; penalty. Adds Pen. C. §280a-b. 2§  
'07 ch.583, 15 July
- 270 *Bastardy*  
a **Ill.** Amdg. '72 p.198 §1,3 rel. to bastardy proceedings: complaint may be made to judge of mun. court. 2§ '07 p.56, 11 Feb.  
b **N. H.** Amdg. P.S. ch.87 §2: person in bastardy proceedings may be held to appear at trial term of Superior Court in county where offense committed *or where accused resides.* 1§ '07 ch.58, 14 Mar.  
c **Pa.** Where defendant has been convicted of fornication and bastardy and sentenced to pay for support of child, on 5 days' default writ of fieri facias and attachment execution may issue; no exemptions of property or money allowed. 6§ '07 ch.293, 7 June  
d **Wis.** District atty. to prosecute bastardy proceedings. Adds S.'98 §1533m. 1§  
'07 ch.648, 15 July
- 272 *Bigamy*  
a **Del.** Amdg. R.C. ch.131 §5 rel. to bigamy: maximum penalty 6 [1] years. 1§  
'07 ch.254, 29 Mar.
- 274 *Fornication*  
a **Wis.** Amdg. S.'98 §4580 rel. to fornication: age of consent 18 [14]; *penalty for commission with insane female 5 to 15 years.* 2§  
'07 ch.653, 15 July  
b **Wy.** Felony to have carnal knowledge of female inmate of penal or charitable institution. 1§  
'07 ch.28, 14 Feb.
- 276 *Incest*  
a **Ind.** Amdg. '05 ch.169 §456 rel. to incest: maximum penalty 21 [5] years. 1§  
'07 ch.74, 26 Feb.
- 278 *Indecency*  
a **Ill.** Declaring unconst. '05 p.188 making felony commission of lewd or lascivious act with child. Title defective.  
Milne v. People 79 N. E. 631 (1906)  
b **Ill.** Defining crimes against children; penalty 20 years. 1§  
'07 p.266, 17 May  
c **Ia.** Penalty for committing lewd act with child 13 or under. 1§  
'07 ch.173, 12 Mar.  
d **Minn.** Msdr. to use abusive or obscene language. 1§  
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- e **N. H.** Amdg. P.S. ch.50 § 10 ¶12 rel. to powers of city councils: may regulate costumes of bathers. 1§ '07 ch.35, 27 Feb.
- f **N. C.** Prohibiting use of profane language, in passenger train; penalty; creating conductors and depot agents special police. 4§ '07 ch.470, 11 Mar.
- g **N. D.** Msdr. to use obscene language over telephone. 1§ '07 ch.248, 8 Mar.

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## *Immoral literature and exhibitions*

- a **Ala.** Prohibiting display of picture of nude human figure except in art gallery; penalty. 2§ '07 p.632, 9 Aug.
- aa **Col.** Prohibiting public advertisement of cure for sexual or menstrual diseases; medical journals excepted; penalty. 2§ '07 ch.164, 3 Apr.
- b **Me.** Prohibiting advertisements of medicines in language of immoral tendency, and indiscriminate distribution of samples of deleterious drugs. 2§ '07 ch.189, 28 Mar.
- c **Mon.** Unlawful to publish in newspaper or distribute circulars containing advertisements of cures for sexual and venereal diseases. 6§ '07 ch.191, 9 Mar.
- d **N. C.** Msdr. to write or carve lewd words or pictures in public places. 2§ '07 ch.344, 25 Feb.
- e **N. C.** Amdg. Revisal '05 §3731: indecent placards, exposure of person or immoral show forbidden. 1§ '07 ch.502, 2 Mar.
- f **Wis.** Msdr. to advertise treatment of venereal and sexual diseases. Adds S.'98 §459on. 1§ '07 ch.156, 4 June

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## *Polygamy*

- a **Del.** Requesting Cong. to call convention to amend U. S. Const. so as to prohibit polygamy. '07 ch.261, 11 Feb.
- b **N. C.** Urging amdt. to U. S. Const. prohibiting polygamy. 1§ '07 p.1430, 8 Mar.
- c **Pa.** Requesting Cong. to call convention to amend U. S. Const. so as to prohibit polygamy. '07 p.821, 8 May
- d **W. Va.** Requesting Cong. to call convention to amend U. S. Const. so as to prohibit polygamy. '07 p.433, 23 Jan.

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## *Rape*

- a **Col.** Defining 3 degrees of rape and prescribing penalties. 6§ '07 ch.165, 20 Apr.
- b **Ct.** Amdg. G.S.'02 §1150 which prohibits assault with intent to have carnal knowledge *or having carnal knowledge* of female under 16. 1§ '07 ch.175, 28 June
- c **Ind.** Amdg. '05 ch.169 §361 rel. to rape: age of consent 16 [14] years; imprisonment for life when female under 12 [10] years. 1§ '07 ch.60, 26 Feb.
- d **S. D.** Amdg. Pen. C. §325 subdiv.1: rape to have sexual intercourse with female under 18 [16]. 2§ '07 ch.11, 7 Mar.

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- c **Wash.** Requiring corroboration of complaining witness in case of rape or seduction. 1§ '07 ch.170, 15 Mar.
- f **Wis.** Amdg. S.'98 §4580: age of consent 18 [14] years; *sexual intercourse with female insane person punishable by 5 to 15 years imprisonment.* Adds §4580m. 2§ '07 ch.296, 20 June

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### *Seduction*

- a **Mo.** Amdg. R.S.'99 §1844 rel. to seduction: marriage of defendant and complainant before *jury sworn* [judgment] bar to further prosecution. 1§ '07 p.229, 22 Mar.
- b **Or.** Felony to entice child under 18 years to have carnal or sexual intercourse or to enter building used for immoral purposes; penalty 1 to 20 years. 1§ '07 ch.91, 21 Feb.
- c **Tex.** Declaring unconst. '03 ch.136, prosecution for seduction, suspended by marriage, may be continued if husband deserts or maltreats wife within 2 years. Deprives of speedy trial.  
Waldon v. State 98 S. W. 848 (1906)
- d **Wash.** Prohibiting enticement of female under 18 from parents for unlawful purpose; penalty. 1§ '07 ch.35, 21 Feb.

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### **Crimes against persons**

- a **Tenn.** Msdr. to go about country for purpose of intimidating citizens or destroying property. 3§ '07 ch.427, 15 Apr.

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### *Abduction*

- a **Ind.** Amdg. '05 ch.169 §360: penalty for kidnapping *life* [10 to 21 years] imprisonment. 1§ '07 ch.40, 23 Feb.
- b **N. J.** Amdg. '98 ch.235 §114: penalty for kidnapping *5 years to life* [\$5000 or 20 years] imprisonment. 2§ '07 ch.55, 12 Apr.
- c **N. J.** Annual appropriation of \$10,000 to be used by Gov. to detect kidnappers. 2§ '07 p.737, 28 May
- d **N. Y.** Amdg. Pen. C. §211 subdiv.3: penalty for kidnapping 25 [15] years. 1§ '07 ch.683, 20 July

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### *Blackmail*

- a **N. H.** Penalty for blackmail 10 years or \$5000. 1§ '07 ch.30, 20 Feb.

300

### *Criminal provocation*

- a **Mich.** Msdr. to taunt person with having been convict. 2§ '07 ch.249, 27 June

*Libel and slander, see 472*

303

### *Hazing*

- a **Cal.** Making hazing msdr. Adds §367b to Pen. C. 1§ '07 ch.483, 22 Mar.
- b **Col.** Making hazing msdr. 6§ '07 ch.154, 4 Apr.

304

*Homicide*

- a Del. Amdg. R.C. ch.127 §5 rel. to manslaughter: maximum penalty 10 [5] years. 1§ '07 ch.249, 29 Mar.
- b Mo. Amdg. R.S.'99 §1817: jury may determine whether punishment for murder in 1st degree be death or life imprisonment. 1§ '07 ch.235, 18 Mar.
- c N. Y. Amdg. Pen. C. §187 rel. to punishment for murder in 2d degree: *indeterminate sentence, 20 years to life*. 1§ '07 ch.738, 25 July

306

*Maiming. Disfiguring*

- a Ind. Prohibiting placing of acid or corroding substance on another; penalty \$1000 or 1 to 15 years. 1§ '07 ch.21, 18 Feb.

308

**Crimes against property**

- a Wis. Amdg. S.'98 §4412, 4415, 4415c, 4432 rel. to larceny of lead pipe from partly constructed building and of gas, water and electric current. 4§ '07 ch.149, 29 May

310

*Arson. Destruction by explosives*

- a Nev. Amdg. C.L.'00 §4711: arson in 2d degree to burn railroad car or engine. 1§ '07 ch.171, 29 Mar.
- b N. J. Informers of murder or injury to person or property by felonious use of explosives exempt from prosecution. 1§ '07 ch.136, 7 May
- c U. Amdg. R.S.'98 §4327: building subject to arson to include railroad car and storehouse. 1§ '07 ch.79, 14 Mar.
- d Wis. Amdg. S.'98 §4401-2 rel. to penalties for burning buildings. 2§ '07 ch.212, 13 June

312

*Burglary*

- a Col. Defining burglary with explosives; penalty 25 to 40 years. 1§ '07 ch.151, 3 Apr.
- b Ct. Penalty for breaking and entering with violence or having burglarious instrument or explosive on person 15 years. 1§ '07 ch.215, 17 July
- c Ind. Amdg. '05 ch.169 §374 rel. to entering house etc. to commit felony: booth, tent and inclosed ginseng garden included. 1§ '07 ch.72, 26 Feb.
- d Ind. Defining burglary; penalty, 1st offense 10 to 20 years, 2d offense 20 to 30 years. 3§ '07 ch.154, 9 Mar.
- e Ia. Defining burglary by explosives; minimum penalty 15 years. 1§ '07 ch.171, 4 Apr.
- f Kan. Felony to make or possess explosives or tools for breaking into vaults, buildings etc. 1§ '07 ch.186, 7 Mar.
- g Mich. Defining burglary with explosives; penalty 15 to 30 years. 1§ '07 ch.64, 25 Apr.
- h Minn. Amdg. R.L.'05 §5042: burglary 2d degree to break into bank building whether inhabited or not. 1§ '07 ch.227, 18 Apr.
- i Mo. Burglary with explosives; penalty 10 to 25 years. Adds R.S.'99 §1890a-b. 2§ '07 p.229, 18 Mar.

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- j **Mon.** Defining burglary with explosives; penalty 15 to 40 years. 2§ '07 ch.107, 6 Mar.
- k **Neb.** Defining burglary with explosives; not less than 20 years. 2§ '07 ch.165, 15 Mar.
- n **Neb.** Amdg. C.S.'05 §7691: possession of burglar's implements *a felony* [vagrancy]; 1-5 years [not more than 2]. 2§ '07 ch.164, 30 Mar.
- p **N. H.** Burglary with explosives; penalties. 5§ '07 ch.146, 5 Apr.
- q **N. J.** High msdr. to break into building with explosives with intent to kill or steal; penalty 40 years or \$5000. 1§ '07 ch.107, 25 Apr.
- r **N. C.** Amdg. Revisal '05 §3334 rel. to intent to commit burglary: need not be by night. 1§ '07 ch.822, 8 Mar.
- s **N. D.** Felony to commit burglary with explosive; penalty 20 to 40 years. 1§ '07 ch.124, 16 Feb.
- t **Or.** Defining burglary with explosives; penalty. 1§ '07 ch.149, 25 Feb.
- u **S. C.** Msdr. to have in possession safe-cracker's tools; punishment in discretion of court. Amds. '04 ch.212. 2§ '07 ch.266, 25 Feb.
- v **S. D.** Defining burglary with explosives; penalty. 3§ '07 ch.82, 27 Feb.
- w **Tenn.** Felony to enter inclosure of cultivated ginseng and golden seal and take roots. 2§ '07 ch.343, 11 Apr.
- x **Tex.** Defining burglary with explosives; penalty 25 to 40 years. 2§ '07 ch.110, 16 Apr.
- y **U.** Amdg. R.S.'98 §4334, 4334a-b, 4335-38 rel. to burglary: by explosives; penalties for 3 degrees. 7§ '07 ch.52, 14 Mar.

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### *Conversion of mortgaged property*

- a **Ind.** Felony to sell crop on which lien exists or advances made; exceptions; penalty. 1§ '07 ch.53, 25 Feb.
- b **Ind.** Amdg. '05 ch.169 §397: embezzlement to sell crop belonging to landlord for leasing, *on which he has a lien, or on which advancements have been made; penalties.* 1§ '07 ch.85, 28 Feb.
- c **Neb.** Felony for tenant to convert to his own use share of crop belonging to landlord. 1§ '07 ch.170, 5 Apr.

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### *Counterfeiting. Forgery*

- a **Ga.** Amdg. Pen.C.'95 §243: penalty for uttering or passing forged writing. 2§ '07 p.57, 22 Apr.
- b **Mon.** Amdg. Pen.C. §846 rel. to passing fictitious note or check. 1§ '07 ch.32, 25 Feb.
- c **Or.** Amdg. Ann.C.& S. §1858 rel. to forgery: alteration of application to purchase state lands included. 1§ '07 ch.126, 23 Feb.

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### *Defrauding liverymen and hotel keepers*

- a **Kan.** Amdg. G.S.'01 §2403-4: msdr. to obtain board or lodging by means of trick or false pretense and refuse to pay [with intent to defraud]; no conviction unless copy of act posted in the house. 3§ '07 ch.190, 9 Mar.

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- b **Mich.** Unlawful to defraud boarding house keeper. 2§  
'07 ch.81, 8 May
- c **Mich.** Unlawful to defraud hotel or restaurant keeper. Rep.  
'85 ch.96. 3§ '07 ch.133, 12 June
- d **Nev.** Msdr. to defraud hotel or boarding house keeper. Adds  
'61 ch.28 §137½. 1§ '07 ch.172, 29 Mar.
- e **N. H.** Penalty for defrauding hackmen and expressmen 3  
months or \$20. 1§ '07 ch.5, 20 Feb.
- f **N. Y.** Amdg. Pen.C. §382 rel. to defrauding hotel and boarding  
house keepers: msdr. to [abscond and surreptitiously] remove baggage  
before paying for accommodation. 1§ '07 ch.682, 20 July
- g **N. C.** Msdr. to defraud keeper of hotel or boarding house. 1§  
'07 ch.816, 8 Mar.
- h **Wis.** Msdr. wantonly to injure horse or vehicle hired from  
livery stable. Adds S.'98 §4422f. 1§ '07 ch.532, 10 July
- i **Wy.** Penalty to defraud livery stable keeper. 2§  
'07 ch.24, 13 Feb.

320 *Electric apparatus and power: water and gas mains and meters*

- a **Ia.** Amdg. '04 ch.132: larceny to take steam heat from pipes of  
steam heating company without authority. 1§ '07 ch.172, 28 Mar.
- b **Me.** Unlawful to tap or interfere with water pipes of municipa-  
lity; penalty. 1§ '07 ch.76, 20 Mar.
- c **Minn.** Amdg. R.L.'05 §5143: msdr. to put other than lawful  
coin in electric meter. 1§ '07 ch.166, 12 Apr.
- d **Nev.** Electric light lines and all power lines subject to law rel.  
to telegraph lines: penalty for interference with transmission of power  
or injury to property of. 2§ '07 ch.190, 20 Mar.
- e **N. C.** Amdg. Revisal '05 §3847, 3849 which forbids injuring tele-  
phone and telegraph poles and wires: electric power transmission wires  
included. 2§ '07 ch.827, 8 Mar.
- f **N. C.** Msdr. to injure property used in transmission of electric  
currents. 1§ '07 ch.919, 11 Mar.
- g **N. D.** Msdr. to tap electric wire or alter meter. 1§  
'07 ch.248, 8 Mar.
- h **N. D.** Amdg. R.C.'05 §9312: msdr. to injure telegraph, telephone  
or electric light wires. 1§ '07 ch.247, 12 Mar.
- i **S. D.** Msdr. to use water or gas of mun. or other corp. without  
permission. 3§ '07 ch.160, 1 Mar.
- j **Wis.** Amdg. S.'98 §4412, 4415, 4415c, 4432 rel. to larceny of gas,  
water and electricity. 4§ '07 ch.149, 29 May
- k **Wis.** Prohibiting injury to telephone apparatus and fraud in  
connection with slot machine. Adds S.'98 §4440m, 4432m. 2§  
'07 ch.629, 13 July

322

*Embezzlement*

- a **Cal.** Amdg. Pen.C. §506: contractor misappropriating money  
paid to him guilty of embezzlement. 1§ '07 ch.490, 22 Mar.
- b **Ct.** Amdg. G.S.'02 §1419: penalty for embezzlement of bailee  
6 months or \$500. 1§ '07 ch.30, 4 Apr.



## CRIMES AND OFFENSES

322

- c **Neb.** Defining and punishing embezzlement of funds of unincorporated fraternal beneficiary society. 1§ '07 ch.169, 23 Mar.
- d **N. M.** Amdg. C.L.'97 §1123 which defines larceny by embezzlement. 1§ '07 ch.63, 20 Mar.

324

### *False pretenses*

- a **Ind.** Prohibiting fraudulently selling diseased horse or mule; penalty. 1§ '07 ch.73, 26 Feb.
- b **Ind.** Amdg. '05 ch.169 §677 rel. to obtaining things of value under false pretenses: penalty 1 [2] to 7 years and \$10 to \$1000 or in discretion of court or jury 10 days to 6 months in county jail and \$10 to \$50. 1§ '07 ch.228, 9 Mar.

325

### *Fraud (miscellaneous)*

*See also 459, Sale of merchandise; 1592, Advertisements*

- a **Fla.** Msdr. to obtain money or thing of value on contract to perform service with intent to defraud. 2§ '07 ch.83
- b **Me.** Prohibiting one receiving advances on contract to labor in lumbering operation to fail fraudulently to carry out agreement; penalty. 2§ '07 ch.7, 13 Feb.
- c **Nev.** Felony to issue commercial paper fraudulently when having insufficient funds or credit with drawee. Adds '61 ch.28 §83½. 1§ '07 ch.101, 20 Mar.
- d **Wis.** Amdg. S.'98 §1494a which prohibits butter and cheese manufacturers keeping fraudulent accounts: books to be open to Dairy and Food Comr.; penalty. 1§ '07 ch.306, 20 June
- e **Wis.** Prohibiting injury to telephone apparatus and fraud in connection with slot machine. Adds S.'98 §4440m, 4432m. 2§ '07 ch.629, 13 July

326

### *Injury. Trespass. Malicious mischief*

*See also 468, Torts; 1333, Injury (railroads); 1879, Domestic animals; 1908, Trespass (hunters)*

- a **Ct.** Amdg. G.S.'02 §1172: penalty for injury to property in public places \$250 [\$50] or 6 months [30 days]. 1§ '07 ch.26, 4 Apr.
- b **Fla.** Amdg. G.S.'06 §3405-7 rel. to trespass on land: sufficiently inclosed if surrounded by water; posting. 3§ '07 ch.89, 3 June
- c **Kan.** Malicious destruction or injury of property under \$20 a msdr.; over \$20, a felony. Rep. G.S.'01 §2391. 3§ '07 ch.185, 9 Mar.
- d **N. Y.** Amdg. Pen.C. §648 rel. to destruction of property of public libraries, museums etc. or those belonging to educational, scientific, artistic or charitable institution. 1§ '07 ch.405, 4 June
- e **Tenn.** Felony wilfully to destroy tobacco or other crop of another. 3§ '07 ch.529, 15 Apr.

328

### *Larceny and receiving stolen goods*

*See also 1727, Pawnbroking; 1884, Domestic animals; 1897, Lumber*

- a **Cal.** Amdg. Pen.C. §487 rel. to property taken to constitute grand larceny: bicycles omitted. 1§ '07 ch.90, 6 Mar.

328

- b **Cal.** Amdg. Pen.C. §496: person who on being informed that goods in his possession were stolen and after demand therefor by owner makes away with same is guilty of receiving stolen goods. 1§  
'07 ch.238, 15 Mar.
- c **Col.** Larceny to steal parcel of real property or anything attached thereto. 2§  
'07 ch.157, 3 Apr.
- d **Col.** Amdg. G.S. '83 §72: larceny to withhold money or property collected for another. 1§  
'07 ch.158, 5 Apr.
- e **Col.** Grand larceny to remove ore from mine or claim of another. 1§  
'07 ch.153, 9 Apr.
- f **Ind.** Amdg. '05 ch.169 §378: penalty for petit larceny 1 to 8 [3] years. 1§  
'07 ch.61, 26 Feb.
- g **Mass.** Larceny for captain of vessel to embezzle property of owner, crew, or person furnishing supplies, even though copartner of such persons. 1§  
'07 ch.389, 8 May
- h **Mass.** Prohibiting stealing tools from building in course of construction or repair; pawnbrokers receiving building tools to list same in book with name and address of pawner; penalties. 3§  
'07 ch.500, 12 June
- i **Mich.** Declaring unconst. C.L.'97 §11,633 which allows prosecution of larceny on railroad car in any county through which train passes. Trial by jury means in county where offense is committed.  
People v. Brock 112 N. W. 1116 (1907)
- j **Mon.** Amdg. Pen.C. §770 rel. to misappropriation of public moneys: loaning or unlawful deposit prohibited. 2§ '07 ch.153, 7 Mar.
- k **N. Y.** Amdg. Pen.C. §528 rel. to larceny: no defense that owner was induced to part with property for illegal or immoral purpose. 1§  
'07 ch.581, 15 July
- n **Or.** Amdg. Ann.C. & S. §1805 rel. to larceny: partial interest or mixture of property with that of another no defense. 1§  
'07 ch.221, 25 Feb.
- p **Vt.** Amdg. S. §4939-40, 4943-44, 5035: value of property in grand larceny to be over \$25 [\$7]. 5§  
'06 ch.181, 23 Nov.
- q **Wis.** Prohibiting injury to telephone apparatus and fraud in connection with slot machines. Adds S.'98 §4440m, 4432m. 2§  
'07 ch.629, 13 July

332

### Robbery

*See also* 1333, Train robbery

- a **Col.** Amdg. G.S.'83 §752 rel. to robbery: penalty 5 years to life by person armed with dangerous weapon or having confederate so armed. 1§  
'07 ch.166, 9 Apr.
- b **Wis.** Amdg. S.'98 §4375: penalty for robbery 3 to 15 [10] years. 1§  
'07 ch.263, 19 June

335

### Corrections

*See also* 60, State institutions; 2140, Charities

- a **Ala.** Amdg. C.'96 §4457 rel. to salaries of officers of State Bd. of Inspectors of Convicts. 2§  
'07 p.294, 4 Mar.
- b **Ari.** Comn. to select site for Territorial Prison and Territorial Industrial School. 4§  
'07 ch.5, 25 Feb.

## CORRECTIONS

335

- c **Ind.** Amdg. '97 ch.53 §10 rel. to transfer from Reformatory to State Prison: providing for parole of such prisoners and transfer from State Prison to Reformatory. 1§ '07 ch.56, 26 Feb.
- d **Me.** Inspectors of prisons and jails to receive \$5 per day and expenses. 2§ '07 ch.3, 6 Feb.
- e **N. Y.** Reorganizing State Comn. of Prisons: 7 members appointed by Gov. and Senate; term 4 years; \$10 per diem; visitation and inspection; annual report to Legis.; reports of wardens etc. to comn.; enforcement of rights and powers. Rep. '95 ch.1026; '96 ch.430; '01 ch.12. 16§ '07 ch.381, 28 May
- f **Vt.** Creating Bd. of Penal Institutions in place of Bd. of Directors of State Prison and House of Correction and Bd. of Trustees of Vt. Industrial School. 4§ '06 ch.191, 13 Dec.
- g **Wy.** Felony to introduce narcotic or firearm into prison or insane hospital. 2§ '07 ch.26, 14 Feb.

341

### State prisons

- a **Ari.** Removal of Territorial Prison from Yuma to Florence. 8§ '07 ch.97, 21 Mar.
- b **Cal.** Rep. P.C. §367 which constituted Gov., Lieut. Gov. and Sec. of State a Bd. of State Prison Directors and Lieut. Gov. warden of such prison. 1§ '07 ch.314, 18 Mar.
- c **Cal.** Establishing Bd. of Directors of State Prisons: gen. supervision and visitation; annual report to Gov.; to appoint wardens; duties of wardens; prison regulations. Adds §1572-96 to Pen.C. 26§ '07 ch.317, 18 Mar.
- d **Id.** Msdr. illicitly to convey articles into and from penitentiary. 1§ '07 p.97, 2 Mar.
- e **Id.** Amdg. '99 p.15 §15 rel. to penitentiary: salary of warden \$1800 [\$1200], of deputy \$1200 [\$1000]; *bills to be paid monthly.* 1§ '07 p.125, 5 Mar.
- f **Kan.** Directors of State Penitentiary may use rents from houses owned by state for repairing same; and may build new cottages for employees with the surplus. 1§ '07 ch.394, 5 Mar.
- g **Minn.** Bd. of Control and warden of State Prison may borrow not to exceed 75% of revolving fund of prison for current demands. 1§ '07 ch.266, 19 Apr.
- h **N. J.** Amdg. '96 ch.165 §1: Bd. of Inspectors and Supervisor of State Prison may make contracts for lighting, *heating and furnishing power to prison.* 2§ '07 ch.190, 13 May
- i **N. Y.** Amdg. '06 ch.670 §3 rel. to prison to replace Sing Sing State Prison: site; prison labor; architects' competition. Adds §6-12. 8§ '07 ch.521, 17 June

342

### Employees

- a **Ari.** Amdg. R.S.'01 §3574, 3584: turnkey of Territorial Prison to receive salary \$1800 *payable monthly* [\$375 per quarter]; sec. \$1500 [\$1200]. 3§ '07 ch.54, 18 Mar.
- b **Ark.** Amdg. S.'04 §5885 rel. to physician of State Penitentiary: not to practise outside; penalty; assistant. 2§ '07 ch.140, 2 Apr.

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- c **Ia.** Granting employees of penitentiaries 15 days vacation. 2§  
'07 ch.195, 4 Apr.
- d **Ia.** Amdg. C. §5663 rel. to number of guards at state penitentiaries. 1§  
'07 ch.191, 13 Apr.
- e **Me.** Amdg. R.S.'03 ch.116 §1 ¶27 rel. to salaries of employees of State Prison. 1§  
'07 ch.54, 13 Mar.
- f **Mich.** Amdg. C.L.'97 §2099 rel. to salaries of officers of state prisons: deputy warden \$1500 [\$1200]; keeper \$1000 [\$800]; guard \$900 [\$700]. 1§  
'07 ch.57, 25 Apr.
- g **Mo.** Amdg. R.S.'99 §8875: salary of matron of penitentiary \$900 [\$500], of guards \$900 [\$780]. 1§  
'07 p.371, 20 Mar.
- h **Mon.** 8 hour day for guards in State Prison. 4§  
'07 ch.195, 18 Mar.
- i **Tex.** Amdg. 'R.C.S.'95 art.3698: salary of penitentiary guard \$30 per month. 1§  
'07 ch.27, 20 Mar.
- j **Vt.** Bds. to fix salaries of supts. of penal institutions; not to exceed \$1500; rent and subsistence. 2§  
'06 ch.207, 10 Dec.

343

### Reform schools and reformatories

- a **S. D.** Name of Reform School at Plankinton changed to S. D. Training School. 3§  
'07 ch.222, 7 Mar.

345

### *Institutions for women and girls*

- a **Col.** Amdg. '05 ch.66 §9, 14, 17, 35 rel. to State Industrial School for Girls. 4§  
'07 ch.225, 8 Apr.
- b **Ct.** Amdg. '05 ch.233 rel. to institutions to which girls of over 16 years may be committed for leading vicious life. 1§  
'07 ch.48, 17 Apr.
- c **Ind.** Name of Ind. Industrial School for Girls changed to Ind. Girls School; bd. of trustees to consist of 4 women, term 4 years, appointed by Gov., salary \$300. 4§  
'07 ch.119, 8 Mar.
- d **Ind.** Creating correctional dept. of Women's Prison, not communicating with main prison; for female delinquents sentenced to jail or workhouse; employment; instruction; \$40,000. 7§  
'07 ch.135, 9 Mar.
- e **Ia.** Female convicted of felony to be confined at Reformatory at Anamosa. 1§  
'07 ch.193, 13 Apr.
- f **Me.** Amdg. R.S.'03 ch.143 §31: maintenance of inmates of Industrial School for Girls to be paid by *state* [by city or town of residence]. Rep. §32. 2§  
'07 ch.31, 6 Mar.
- g **Minn.** Establishing State Industrial School for Girls: Bd. of Control to supervise construction; cottage plan; Gov. to appoint Bd. of Women Visitors of 5 annually; inspection and report; \$25,000. 11§  
'07 ch.282, 22 Apr.
- h **Mo.** Amdg. R.S.'99 §7777: girls of vicious associations or uncontrollable by parents may be sent to Industrial Home for Girls. 1§  
'07 p.304, 18 Mar.

# CORRECTIONS

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- i **Neb.** Amdg. C.S.'5 §3779 rel. to officers of Neb. Industrial Home: physician need not be woman; salaries. 2§ '07 ch.65, 4 Apr.
- j **N. J.** Msdr. to assist inmate of girls home to escape. 1§ '07 ch.284, 28 Oct.

346

## *Reform schools*

- a **Ari.** Amdg. R.S.'01 §3741, 3748, 3755-56, 3760 rel. to Territorial Industrial School: salary of supt.; term of commitment; discharge or parole for good behavior; expense of maintenance; duties of sheriffs. 5§ '07 ch.48, 18 Mar.
- b **Cal.** Transfer of boys under 18, except those serving life sentence, from State Prison to Whittier State School. Adds §31 to '93 ch.222. 1§ '07 ch.4, 7 Feb.
- c **Fla.** Declaring unconst. '05 ch.17 in so far as it authorizes commitment to State Reform School by judge of any criminal court. Such judge can commit only after regular conviction.  
Pugh v. Bowden 45 S. 499 (1907)
- d **Fla.** Rel. to State Reform School at Marianna; officers; \$10,000 annual appropriation. Rep. G.S.'06 §4171. 8§ '07 ch.126, 27 May
- e **Me.** Amdg. R.S.'03 ch.143 §3-4: maintenance of inmates of State School for Boys to be paid by *state* [town where committed]. Rep. §5. 3§ '07 ch.120, 26 Mar.
- f **Mass.** Inmates escaping from Lyman School for Boys or Industrial School for Girls may be arrested by police officer without warrant. 1§ '07 ch.362, 3 May
- g **Mass.** State Bd. of Charity to investigate needs of industrial school for boys excluded from Lyman School for Boys by age limit; report at next session; \$500. '07 r.121, 21 June
- h **N. H.** Amdg. P.S. ch.284 §24: *state* [town or county] to pay expense of person committed to industrial school. Rep. §25. 1§ '07 ch.133, 5 Apr.
- i **N. Y.** Amdg. '04 ch.718 §14 rel. to establishing N. Y. State Training School for Boys: comn. to consist of 3 *appointees of Gov.* [Comptroller, Fiscal Supervisor of State Charities, president of bd. of managers of Society for Reformation of Juvenile Delinquents in City of N. Y., president of State Bd. of Charities, State Architect]; report to Legis. of 1908 [1907]. 2§ '07 ch.665, 20 July
- j **N. C.** Establishing Stonewall Jackson Manual Training and Industrial School to receive delinquents under 16 years committed by courts; 15 trustees, 11 to be appointed by Gov., if state aid be given; inspection by Gov. annually; joint legis. committee of 5 to investigate methods of such schools; report to Gov. by Sept. 1, 1907. 19§ '07 ch.509, 2 Mar.
- k **N. D.** Inmates of Reform School under guardianship and control of trustees. 2§ '07 ch.239, 19 Mar.
- n **Pa.** Amdg. '05 ch.429 §7: name of Thaddeus Stevens Industrial and Reform School of Pa. changed to Thaddeus Stevens Industrial School of Pa. 1§ '07 ch.76, 15 Apr.

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- p **Tenn.** Creating Tenn. Reformatory for Boys; 5 trustees appointed by Gov., latter *ex officio*; commitment; agric. and horticultural experiment station to be established at; pardons; \$10,000. 11§  
'07 ch.599, 15 Apr.
- q **Wash.** Amdg. '90 p.271 §1: Wash. State Training [Reform] School. 1§  
'07 ch.90, 9 Mar.

347

*Reformatories*

- a **Ia.** Changing name of penitentiary at Anamosa to "The Reformatory"; system of sentencing; Bd. of Parole. 21§  
'07 ch.192, 2 Apr.
- b **Wash.** Establishing Wash. State Reformatory in Snohomish county; management; parole; \$30,000. '23§ '07 ch.167, 14 Mar.
- c **Wis.** Amdg. S.'98 §4944c-d rel. to commitments to State Reformatory. 2§ '07 ch.358, 24 June

348

*Local institutions*

- a **Ala.** Creating Inspector of Jails and Almshouses; appointed by Gov. for 4 years, salary \$2400; visitation; may compel giving of testimony; orders to be obeyed under penalty; report to be published in newspaper in county; inspection of cotton mills to ascertain sanitary condition and ages of child employees; reports to Gov. 10§  
'07 p.277, 4 Mar.
- b **Ala.** Amdg. '07 p.335 rel. to office supplies for inspector. 1§  
'07 p.715, 13 Aug.
- c **Wis.** Amdg. S.'98 §564 subdiv.3, 5, §566a, 603, 604: Bd. of Control to approve plans of houses of correction and workhouses. 5§  
'07 ch.236, 19 June

349

*County and township*

- a **Ari.** Amdg. R.S.'01 §2600: maximum pay of jail guard \$100 [\$60] per month. 2§ '07 ch.40, 18 Mar.
- b **Ark.** Amdg. S.'04 §4402: sheriff or jailer to receive 75c per day [amount to be fixed by County Court] for feeding indigent prisoner. 2§  
'07 ch.136, 4 Apr.
- c **Minn.** County bd. of control may appoint sec. at \$2000. 1§  
'07 ch.68, 27 Mar.
- d **Nev.** Authorizing establishment of branch county jails; prisoners may be worked on roads. 3§ '07 ch.136, 29 Mar.
- e **S. D.** In addition to legal charge, expenses of maintenance of prisoners of U. S. and of other states and counties to be collected. 2§  
'07 ch.204, 3 Mar.
- f **Tenn.** Empowering county to construct portable or stationary workhouses. 3§ '07 ch.445, 12 Apr.
- g **Wis.** Amdg. S.'98 §697c rel. to commitment to workhouse. 1§  
'07 ch.341, 22 June

## CORRECTIONS

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### *Municipal*

- a **S. D.** Amdg. Pen. C. §152: term prison to include place designated by law or by *mun. ordinance* for custody of persons under arrest. 2§ '07 ch.203, 6 Mar.
- b **Wis.** Lockup in city of 3d or 4th class not to be located within 300 feet of school. Adds S.'98 §566m. 1§ '07 ch.339, 22 June

352

### **Discipline. Instruction. Care of sick**

- a **Ct.** Amdg. G.S.'02 §2943 rel. to release of prisoner in jail contracting malignant, *contagious or infectious* disease. 1§ '07 ch.33, 10 Apr.
- b **Ind.** Prohibiting selling or giving articles to inmates of penal institutions, or receiving articles from same; penalty. 3§ '07 ch.150, 9 Mar.
- c **N. J.** Creating State Prison School Bd. to consist of principal keeper, 2 members of Bd. of Inspectors, and moral instructors of prison; to establish school in State Prison; courses; teachers; report to Bd. of Inspectors. 8§ '07 ch.65, 15 Apr.
- d **N. C.** Providing for separation of prisoners afflicted with tuberculosis. 7§ '07 ch.567, 4 Mar.
- e **Vt.** Prisoners at House of Correction may be required to take physical exercise not more than 1 hour per day 5 days per week. 2§ '06 ch.199, 15 Dec.

354

### **Convict labor**

- a **Ala.** Submitting amdt. to Const. 1901 §93: Legis. may apply net proceeds from state convict fund to construction and maintenance of roads, and may make additional appropriations for same purpose. 3§. Vote Nov. 1908. '07 p.740
- aa **Ark.** Joint committee on penitentiary may investigate alleged inhuman treatment of prisoners in camps and on farm. 1§ '07 p.1260, 14 Feb.
- b **Col.** Penitentiary, Reformatory and Industrial School for Boys may make wearing apparel for Home for Dependent Children, Insane Asylum or Soldiers Home. 3§ '07 ch.226, 8 Apr.
- c **Col.** Convicts to be taught trade; to make articles for state institutions and offices; compensation in lieu of "good time"; under direction of State Comm. on Prison Labor, hereby created. 12§ '07 ch.201, 9 Apr.
- d **Ia.** Convict labor may be used in caring for houses of wardens of penitentiaries. 1§ '07 ch.194, 10 Apr.
- e **Me.** Amdg. R.S.'03 ch.142 §14: if earnings of prisoner in house of correction exceed expense of commitment and maintenance balance to be paid to dependent kindred of prisoner. 1§ '07 ch.107, 22 Mar.
- f **Mich.** Payment for overtime to convicts. 1§ '07 ch.291, 27 June

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- g Mo.** Allowing convict in State Penitentiary 5% of earnings; may be used for support of prisoner's family. Adds R.S. §8883a-c. 3§  
'07 p.372, 19 Mar.
- h Vt.** Employment of prisoners of State Prison and House of Correction outside; not to exceed 10 from each. 3§. '06 ch.198, 15 Dec.
- i Vt.** Employment of prisoners in county jails. 9§  
'06 ch.200, 19 Dec.

356

**Contract and lease system**

- a Ala.** Amdg. '96 §4447: hirer of convicts to pay *president of Bd. of Convict Inspectors* [auditor] monthly; *latter to make quarterly settlement with auditor.* 1§  
'07 p.244, 28 Feb.
- b Fla.** Amdg. G.S.'06 §4109 rel. to leasing county prisoners: bids to be advertised for. 1§  
'07 ch.110, 3 June

357

**County and municipal convicts**

- a Ala.** Fees of sheriff for feeding convicts. 2§  
'07 p.762
- aa Col.** Prisoner in jail to work 8 hours per day; when convicted of nonsupport, county to pay family 50c. to \$1 for each day's labor. 2§  
'07 ch.202, 5 Mar.
- b Me.** Amdg. R.S.'03 ch.80 §15 rel. to employment of prisoners in jails: after deducting for maintenance proceeds to be paid to persons dependent on them. 1§  
'07 ch.161, 27 Mar.
- c Neb.** Amdg. C.S.'05 §3481 rel. to contracts for feeding prisoners in county jail in counties of over 100,000. 2§  
'07 ch.53, 6 Apr.
- d N. D.** Person committed to county jail for msdr. to be sentenced to hard labor if physically fit. 2§  
'07 ch.87, 13 Mar.
- e N. D.** County comrs. may establish workhouse and work convicts in jail at hard labor; adoptive. 3§  
'07 ch.274, 14 Mar.
- f Wis.** Village may compel prisoner in watchhouse to labor on public works; prisoner to be allowed \$2 per day toward paying fine. Adds S.'98 §893 subdiv.27m. 1§  
'07 ch.117, 20 May

358

**Roads**

- a Col.** System of state highways; to be constructed by convict labor; \$10,000. 10§  
'07 ch.206, 9 Apr.
- b Ill.** Amdg. '05 p.344 §2 rel. to use of road material prepared by convict labor: may be used for extensions of hard roads within corporate limits of cities and villages. 1§  
'07 p.442, 3 June
- c Nev.** Authorizing establishment of branch county jails; prisoners may be worked on roads. 3§  
'07 ch.136, 29 Mar.
- d Pa.** Authorizing employment of male prisoners in jails on highways; creates county prison bd. to consist of sheriff and comrs. to adopt regulations therefor. 8§  
'07 ch.191, 25 May
- e Tenn.** Use of convicts to work turnpikes in county of 15,000. 3§  
'07 ch.219, 1 Apr.



## CORRECTIONS

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- f **Wash.** Employment of county prisoners on roads. 2§  
'07 ch.39, 25 Feb.
- g **Wash.** Employment of convicts on state roads. 1§  
'07 ch.93, 9 Mar.

359

### Disposition of goods

- a **Cal.** Bd. of Prison Directors to fix price annually of jute goods made in prisons, not to exceed 1c over cost; to be sold to consumers only to May 15, thereafter to persons agreeing not to sell over set price; penalty. Rep. '93 ch.42. 5§ '07 ch.473, 22 Mar.
- b **Mo.** Amdg. '03 p.24 §7 rel. to sale of binding twine made at State Penitentiary. 1§ '07 p.370, 18 Mar.
- c **N. D.** Amdg. R.C.'05 §10, 381 rel. to sale of product of twine plant at penitentiary. 2§ '07 ch.40, 19 Mar.
- d **Wash.** Sale and distribution of grain sacks manufactured at State Penitentiary. 7§ '07 ch.135, 12 Mar.
- e **Wash.** Brick made at State Penitentiary may be used in enlarging its buildings. 1§ '07 ch.180, 15 Mar.

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### Special industries

- a **Ind.** Bd. of Control may establish binder twine plant in State Prison; \$200,000. 9§ '07 ch.86, 28 Feb.
- b **Mich.** Providing for installation and operation of binder twine plant at State Prison at Jackson; \$175,000. 9§ '07 ch.211, 24 June
- c **Mich.** Amdg. Const. 1850, art.18 §3 by rep. prohibition as to teaching convicts home industry. Adopted Apr. 1907. '07 p.505
- d **Minn.** Bd. of Control may establish at State Prison at Stillwater factory for rakes, mowers, harvesters and binders. 3§  
'07 ch.49, 16 Mar.
- e **Minn.** Amdg. R.L.'05 §5449 rel. to limitation of number of convicts employed in special industry: not to apply to binder twine, brushes, binders, mowers, and rakes, nor to any industry carried on by state at State Prison at Stillwater. 1§ '07 ch.71, 28 Mar.
- f **Minn.** Amdg. R.L.'05 §5448 rel. to sale of binding twine manufactured at State Prison at Stillwater. 1§ '07 ch.74, 28 Mar.
- g **Or.** Prohibiting employment of convicts in manufacture of wearing apparel except for state institutions. 1§ '07 ch.92, 23 Feb.
- h **S. D.** Warden to establish hard fibre twine and cordage plant at State Penitentiary; 1¼ mill levy. 7§ '07 ch.67, 2 Mar.
- i **Tenn.** Employment of convict labor in building railroad on property of state known as Herbert Domain. 1§ '07 ch.506, 15 Apr.
- j **Wis.** State Bd. of Control to investigate state rock-bearing lands and consider advisability of employing convicts in quarrying same; report to Legis. Jan. 1909. '07 p.1290

361

### Criminal insane

- a Ark. Transfer of insane convicts from penitentiary to State Hospital for Nervous Diseases. 2§ '07 ch.390, 23 May
- b Cal. Where claim against county for care of insane prisoners is rejected and finally recovered interest to be allowed only since rejection. Adds §2197a to P.C. 1§ '07 ch.419, 21 Mar.
- c Me. Transfer of insane prisoners from State Prison to Me. Insane Hospital. 2§ '07 ch.155, 27 Mar.
- d Vt. Amdg. S. §5247-48: state prisoners to be removed to hospital for insane *only on order of Gov. based on expert examination directed by Gov.*; when sane to be returned *on order of Gov.* 2§ '06 ch.197, 13 Nov.
- e Wash. Trial, commitment and custody of criminal insane. 10§ '07 ch.30, 21 Feb.

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### System of sentencing and reform

For remission of fine *see* 226

- a Ark. Juries and courts may give indefinite sentence; parole by State Penitentiary Bd.; regulations of parole; to apply to Reform School. 8§ '07 ch.440, 29 May
- b Ia. Changing name of penitentiary at Anamosa to "The Reformatory"; convicts between 16 and 30 to be sentenced there under indeterminate sentence; Gov. and Senate to appoint Bd. of Parole of 3, term 6 years, at \$10 per diem; rules of parole. 21§. '07 ch.192, 2 Apr.
- c N. D. Parole system and indeterminate sentences. 4§ '07 ch.180, 19 Mar.

*Capital punishment, see* 229

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### Commutation of sentence

- a Minn. Amdg. R.L.'05 §5445: diminution of sentence of convict in State Prison *or on parole*. 1§ '07 ch.206, 15 Apr.
- b Or. Amdg. Ann. C.& S. §3670, 3672 rel. to allowances for good behavior in penitentiary. Rep. §3669. 3§ '07 ch.81, 23 Feb.
- c Wy. Rel. to allowances for good conduct of convict. Amds. R.S.'99 §670. 6§ '07 ch.18, 13 Feb.

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### Habitual criminals

- a Ind. On 3d conviction for felony person to be deemed habitual criminal and sentenced for life. 2§ '07 ch.82, 28 Feb.
- b Ind. Institutions having care of confirmed criminals, idiots, rapists and imbeciles to appoint on staff 2 skilled surgeons to examine mental and physical condition of inmates; where bd. of managers and surgeons deem case unimprovable, surgeons may perform operation for prevention of procreation. 1§ '07 ch.215, 9 Mar.
- c N. Y. Person on 4th conviction of felony to be sentenced to life imprisonment; may be paroled but not discharged. Adds Pen.C. §688a. 1§ '07 ch.645, 19 July

## CORRECTIONS

### *Identification. Records*

- a **N. H.** Officer in charge of place of detention may take Bertillon measurements, photograph and finger prints of prisoner. 2§  
'07 ch.24, 20 Feb.
- b **N. Y.** Msdr. for police officer to refuse to return photograph of accused after final determination in favor of accused. Adds Pen.C. §379a. 1§  
'07 ch.626, 19 July

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### *Indeterminate sentence*

- a **Ari.** Indeterminate sentence for felonies except murder 1st degree; on 1st offense only; between maximum and minimum terms; Gov. to parole in custody of himself and Bd. of Control. 4§  
'07 ch.37, 17 Mar.
- b **Mass.** "An act rel. to sentences to the Reformatory Prison for Women." Amds. '06 ch.282 §1. 2§  
'07 ch.251, 28 Mar.
- c **Mass.** "An act rel. to sentences to the Mass. Reformatory." Amds. R.L. ch.220 §29. 1§  
'07 ch.252, 28 Mar.
- d **N. Y.** Amdg. Pen. C. §687a: person convicted of felony *other than murder in 1st or 2d degree* [punishable by less than 5 years' imprisonment] to receive indeterminate sentence. 1§  
'07 ch.737, 25 July
- e **Wash.** Indeterminate sentences. 8§  
'07 ch.155, 13 Mar.

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### *Juvenile offenders*

*See also 346, Reform schools; 2172, Children*

- a **Ala.** Juvenile delinquents law for Mobile. 13§  
'07 local acts p.363, 5 Mar.
- aa **Ala.** Defining delinquent children; Chancery and City Police Courts to have jurisdiction; separate trial; probation officers; disposition. 17§  
'07 p.442, 12 Mar.
- b **Ari.** District Courts to have jurisdiction of delinquent and neglected children under 16 years; probation officers; proceedings apart from other criminal cases; commitment; not to be confined where adult criminals may at any time be kept; release. 16§  
'07 ch.78, 21 Mar.
- c **Ark.** County judge may commit to reform school or find suitable home for child living amid immoral influences. 2§  
'07 ch.237, 30 Apr.
- d **Cal.** Amdg. '03 ch.43 §16: where parent of delinquent child is unable to pay whole expense of maintenance at place of detention, balance to be county charge. 1§  
'07 ch.427, 21 Mar.
- e **Col.** Amdg. '03 ch.94 rel. to person contributing to delinquency of child: suspension of sentence to be revoked or made absolute at end of 2 years. 1§  
'07 ch.155, 2 Apr.
- f **Col.** Rel. to dependent and neglected children. 10§  
'07 ch.168, 2 Apr.
- g **Ct.** Penalty for causing delinquency or dependency of child; suspension of sentence under conditions imposed by court. 1§  
'07 ch.69, 7 May

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- h **Id.** Penalty for contributing to dependency or delinquency of child; Probate Court to fix compensation of probation officer; school trustees to report delinquency to probate judge. Amds. '05 p.110 §8, 12. 4§ '07 p.231, 12 Mar.
- i **Kan.** Msdr. to cause, encourage or contribute to delinquency, dependency or neglect of child; suspension of sentence under conditions fixed by Juvenile Court; county detention homes & farms; minor additions to Juvenile Court act. Supplements '05 ch.190. 17§ '07 ch.177, 12 Mar.
- j **Mich.** Msdr. to contribute to delinquency of child; suspension of sentence on terms imposed by court. 1§ '07 ch.314, 28 June
- k **Minn.** Msdr. to contribute to delinquency or neglect of child; Juvenile Court to have jurisdiction. 2§ '07 ch.92, 4 Apr.
- n **Minn.** Amdg. '05 ch.285 §5 rel. to dependent, neglected and delinquent children in counties of 50,000: bd. of comrs. may establish detention home with approval of judges of District Court; regulations. 1§ '07 ch.172, 12 Apr.
- p **Mo.** Msdr. to contribute to delinquency of child; suspension of sentence under conditions imposed by court. 1§ '07 p.231, 18 Mar.
- q **Mon.** Concerning dependent or neglected children. 15§ '07 ch.92, 5 Mar.
- r **Mon.** Concerning apprehension, custody and disposition of juvenile delinquents. 17§ '07 ch.126, 6 Mar.
- s **Neb.** Amdg. C.S.'05 §2796a-v rel. to dependent, neglected and delinquent children: to include children under 18 [16]; probation officers' expenses; children committed to Industrial School may be retained until 21 [16]; child *under 16* not to be confined with adult convicts. 6§ '07 ch.45, 9 Apr.
- t **N. H.** Juvenile dependents and delinquents; separate court proceedings; probation officer; commitment and placing out. 20§ '07 ch.125, 4 Apr.
- u **N. Y.** Amdg. Pen. C. § 699: conviction of child under 16 of crime for which adult might receive 10 years' imprisonment or less, not to work deprivation of any right except as imposed by court. 1§ '07 ch.417, 5 June
- v **N. C.** Minors under 16 committing crimes whose penalty is less than 10 years to be sentenced to house of correction or reformatory for not more than 10 years; parole; in lieu of sentence may be apprenticed. 6§ '07 ch.1011, 11 Mar.
- w **Or.** Treatment and control of dependent, neglected and delinquent children; Juvenile Courts; probation officers; disposition by treatment, commitment, adoption; supervision of institutions. Rep. '05 ch.80. 19§ '07 ch.34, 15 Feb.
- x **Or.** Msdr. to cause delinquency or dependency of child; penalty 1 year or \$1000. Rep. '05 ch.171. 6§ '07 ch.69, 23 Feb.
- y **Tenn.** Amdg. '05 ch.516 §12: juvenile delinquent law to apply to county of 100,000 [70,000]. 2§ '07 ch.110, 18 Mar.

## CORRECTIONS

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- z Tex.** Defining delinquent child; District and County Courts sitting as Juvenile Courts to have jurisdiction; separate detention; probation officers; probation, placing out, commitment to institution for care of. 10§ '07 ch.65, 5 Apr.
- za Tex.** Msdr. to contribute to delinquency or dependency of child; suspension of sentence under conditions imposed by court. 1§ '07 ch.109, 16 Apr.
- zb U.** Msdr. to contribute to dependency or delinquency of child; suspension of sentence on furnishing undertaking. 5§ '07 ch.155, 25 Mar.
- zc Wash.** Msdr. to contribute to delinquency of child under 17; suspension of sentence under conditions imposed by court. 1§ '07 ch.11, 11 Feb.
- zd Wash.** Rel. to delinquent children: male and female probation officer in county containing city of 1st class; procedure against parents. Adds '05 ch.18 §14, 15. 2§ '07 ch.110, 11 Mar.
- ze Wis.** Amdg. S.'98 §4966 rel. to commitment of criminal, vagrant and incorrigible child to industrial school. 1§ '07 ch.630, 13 July
- zf Wy.** Delinquent children may be placed by court in custody of society for placing such children in family homes; such society to receive no compensation therefor. 4§ '07 ch.60, 16 Feb.
- zg Wy.** Gov. may parole and discharge juvenile delinquents. 4§ '07 ch.64, 16 Feb.

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### JUVENILE COURTS. JUVENILE PROBATION

*See also 374, Probation*

- a Col.** Establishing Juvenile Court in county of 100,000. 20§ '07 ch.149, 3 Apr.
- b Ct.** Rel. to records of commitment of dependent or neglected child or female between 16 and 21 years old. 1§ '07 ch.52, 17 Apr.
- c Ill.** Amdg. '99 p.131, title and §1, 4, 5, 7, 8, 9, 15, 22, rel. to Juvenile Courts. Adds §9a-9e, 23-26. 18§ '07 p.70, 4 June
- d Ind.** Appeal from Juvenile Court to Appellate Court. 1§ '07 ch.136, 9 Mar.
- e Ind.** Amdg. '05 ch.145 §2: Juvenile Court to have jurisdiction of persons charged with contributing to delinquency of children except where amounting to felony. 1§ '07 ch.169, 9 Mar.
- f Ind.** Amdg. '03 ch.237 §3-4 rel. to Juvenile Courts: judge may hear causes when sitting in vacation; probation officers conveying child to institution to get only actual expenses. 2§ '07 ch.203, 9 Mar.
- g Mass.** "An act to establish a Juvenile Court," '06 ch.489, to affect jurisdiction of Mun. Court of Boston only. 1§ '07 ch.137, 21 Feb.
- h Mass.** In cases of neglected, wayward and delinquent children payment of witness fees and expenses of officers same as in criminal cases. 1§ '07 ch.158, 1 Mar.
- i Mass.** Court may summon parents to be in attendance at trial of juvenile offender. 2§ '07 ch.195, 12 Mar.

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- j **Mass.** Boston Juvenile Court to have jurisdiction of children becoming 17 during adjudication and probation till reaching 18. 1§  
'07 ch.411, 14 May
- k **Mich.** Juvenile dependents and delinquents: courts; procedure; probation; disposition. 14§  
'07 ch.325, 28 June
- n **Minn.** Amdg. R.L.'05 §5496-97, 5500-1 rel. to probation officers for juvenile offenders. 5§  
'07 ch.342, 23 Apr.
- p **Minn.** Amdg. '05 ch.285 §3 rel. to deputy clerk of Juvenile Court. 2§  
'07 ch.394, 24 Apr.
- q **Mo.** Establishing Juvenile Court in county of 100,000 to 150,000. 23§  
'07 p.217, 19 Mar.
- r **N. D.** Parole system for Reform School. 5§  
'07 ch.181, 8 Mar.
- s **Pa.** Fees of sheriff and constable in connection with Juvenile Court; transportation fees of probation officer; assmt. of costs. 4§  
'07 ch.298, 7 June
- t **U.** Declaring unconst. '05 ch.117 §7: parent responsible for delinquency of child guilty of msdr. Denies right of trial.  
Mill v. Brown 88 P. 609 (1907)
- u **U.** Juvenile Court in city of 1st or 2d class. Rep. '03 ch.124 §4; '05 ch.117. 18§  
'07 ch.139, 25 Mar.
- v **U.** Amdg. R.S.'98 §633: duty of county atty. rel. to proceedings in Juvenile Court. 1§  
'07 ch.143, 25 Mar.
- w **Wis.** Amdg. S.'98 §573 subdiv.1-3, 5, 6, 9 rel. to dependent and delinquent children in county containing city of 1st, 2d or 3d class. 6§  
'07 ch.73, 3 May
- x **Wis.** Clerk of Juvenile Court in county containing city of 2d or 3d class. Adds S.'98 §573 subdiv. 2 ¶3m. 1§  
'07 ch.324, 21 June

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## SEPARATE DETENTION AND TRIAL

- a **Col.** Separate detention house for children in county of 100,000; discipline. 1§  
'07 ch.170, 2 Apr.
- b **Ia.** Counties of 50,000 to maintain detention home and school for dependent and delinquent children apart from jail; such counties may appoint 2 probation officers; 1 mill levy. Amds. '05 ch.11 §6. 3§  
'07 ch.7, 27 Mar.
- c **Neb.** County bds. may appropriate funds to maintain detention houses in connection with Juvenile Court. 1§  
'07 ch.46, 18 Mar.
- d **N. Y.** Amdg. county law '92 ch.686 §92: minors in jail not to be kept in same room with adults. 1§  
'07 ch.275, 2 May
- e **U.** Detention school, separate from jail or lockup, for delinquents under 16 years in county of 1st and 2d class. 7§  
'07 ch.144, 25 Mar.

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## Parole

- a **Col.** State Parole Officer; appointed by wardens of penitentiary and reformatory, confirmed by comrs. thereof; salary \$1200. 3§  
'07 ch.83, 17 Apr.

## CORRECTIONS

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- b **Id.** Sheriff to act as parole officer for county. 2§  
'07 p.537, 16 Mar.
- c **Id.** Amdg. '99 p.10 §13: time of convict on parole not to count as part of sentence in case of violation of agreement. 1§  
'07 p.544, 16 Mar.
- d **Ind.** Except for murder, arson, burglary, rape, treason and kidnapping Circuit and Criminal Courts may parole; revocation. 3§  
'07 ch.236, 11 Mar.
- c **Kan.** District and Common Pleas Courts may parole convicted prisoners; terms of parole; penalty for breach; patrons. 14§  
'07 ch.178, 25 Feb.
- f **Mich.** County agent of State Bd. of Corrections and Charities to act as first friend and advisor for nonresident paroled prisoners. 2§  
'07 ch.250, 27 June
- g **Mo.** Amdg. R.S.'99 §2817: trial court may parole person of *previous good character* [under 25 years] convicted *for first time*. 1§  
'07 p.385, 18 Mar.
- h **Mo.** Amdg. R.S.'99 §2816: parole extended to inmates of State Industrial Home for Girls and Mo. Training School for Boys. 1§  
'07 p.384, 20 Mar.
- i **Mon.** Regulating parole of prisoners in State Prison. 4§  
'07 ch.95, 5 Mar.
- j **N. J.** Amdg. '05 ch.232 §5 rel. to violation of parole: *Gov.* [Bd. of Pardons] to revoke; *parole agent may arrest delinquent without warrant*. 2§  
'07 ch.261, 2 Oct.
- k **N. Y.** Amdg. R.S.pt.4 ch.3 t.2 §75,76: Bd. of Parole for State Prisons created; to consist of Supt. of Prisons and 2 appointees of Gov. and Senate; term 5 years, \$10 per diem; system of parole. 2§  
'07 ch.467, 10 June
- n **S. D.** State Bd. of Charities and Corrections may parole inmates of Reform School. 7§  
'07 ch.199, 15 Feb.
- p **S. D.** Amdg. '05 ch.144 §1,2 rel. to parole of convicts: to apply to persons convicted before passage. 2§  
'07 ch.198, 4 Mar.
- q **Wis.** Bd. of Control, with approval of Gov., may parole inmates of State Prison; regulations. Adds S.'98 §496oc subdiv. 1-7. 9§  
'07 ch.110, 18 May

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### Pardons

- a **Mich.** Amdg. C.L.'97 §144 rel. to compensation of members of Advisory Bd. in Matter of Pardons. 1§  
'07 ch.264, 27 June
- b **Neb.** Procedure upon applications for pardon. Rep. C.S.'05 §8315. 5§  
'07 ch.176, 5 Apr.

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### Probation

*See also 371, Juvenile offenders*

- a **Ct.** Amdg. '05 ch.142 §4: probation officer may be appointed by judge of criminal court after adjournment; may be appointed pro tempore. 1§  
'07 ch.1, 24 Jan.
- b **Ct.** Amdg. '05 ch.142 §6 rel. to compensation of probation officers. 1§  
'07 ch.172, 28 June

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- c **Me.** Probation officer for Westbrook: to obtain for courts information as to criminal record of accused; may recommend probation of latter to court; to have supervision of probationers; accused may submit written statement as to record and request release from custody. 8§ '07 ch.336, 21 Mar.
- d **Mass.** Where person is on probation on condition of restitution to person injured, payments in instalments may be made through probation officer. 1§ '07 ch.335, 24 Apr.
- e **N. J.** Amdg. '06 ch.76 §1, 3 rel. to probation: defendant to pay costs and fine to probation officer; resentence not to exceed maximum for offense. 2§ '07 ch.209, 15 May
- f **N. Y.** Establishing State Probation Comn. to consist of 4 appointees of Gov., terms 4 years, 1 member from each of State Bd. of Charities, and State Comn. of Prisons, and Comr. of Education; gen. supervision of probation officers. 2§ '07 ch.430, 6 June
- g **Vt.** Any court may discharge person from probation or alter conditions of probation. 1§ '06 ch.74, 16 Nov.
- h **Wis.** Suspension of sentence and probation of minor over 16 on conviction of msdr. or 1st felony with maximum penalty of under 7 years. Adds S.'98 §4725a. 1§ '07 ch.426, 26 June

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## CIVIL LAW

Civil Code and Code of Civil Procedure

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## Property

*See also* 490, Family property

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## Real property

- a **N. H.** Standing trees conveyed apart from land to remain real property; form of conveyance same as for real property. 2§ '07 ch.27, 20 Feb.

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## Tenure. Titles

*See also* 748, Special actions; 2739, Prescriptive rights (roads)

- a **Cal.** Making and recording notice of ownership of real property in case of destruction of public records. Supplements '06 ch.59. 5§ '07 ch.517, 23 Mar.
- b **Id.** Determination of title to real estate left by decedent. 9§ '07 p.333, 13 Mar.
- c **Kan.** Amdg. G.S.'01, §1813, rel. to procuring of plats and field notes of U. S. surveys by county surveyor; to be deposited with register of deeds; admissibility as evidence. 2§ '07 ch.169, 15 Feb.
- d **Me.** "An act to quiet the title to real estate." 3§ '07 ch.62, 13 Mar.
- e **Mich.** Title to real estate belonging to public may not be acquired by adverse possession. 2§ '07 ch.46, 17 Apr.



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- f **Mich.** Allowing 5 year adverse possession against holder of tax deed. Adds '93 ch.206 §73a. 1§ '07 ch.58, 25 Apr.
- g **N. D.** Amdg. R.C.'05 §5404: covenant of warranty not broken by existence of right of way of highway or railway. 1§ '07 ch.251, 8 Mar.
- h **Pa.** Quieting title to lands conveyed by foreign corp. not entitled to hold same. 1§ '07 ch.16, 21 Mar.
- i **W. Va.** Validity of title to land sold under judicial proceedings presumed. 4§ '07 ch.76, 21 Feb.

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### Eminent domain. Condemnation proceedings

*See also* 1297, Railways; 1361, Street railways; 1416, Telegraph and telephone; 2026, Mines; 2554, Local finance; 2625, Local improvements; 2640, Electricity and gas; 2649, Water; 2685, Parks

- c **Ari.** Amdg. R. S.'01 §2445 subdiv.3, §2450 subdiv.1, §2466 rel. to eminent domain: right extended to educational, reformatory and penal institutions, costs where they are parties to be against owners unless award exceeds offer; irrigation rights subject to. 4§ '07 ch.91, 21 Mar.
- b **Cal.** Amdg. C.C.P. §1240 rel. to property subject to condemnation: property of U. S. except public buildings and that used for military purposes; railroad crossing another not to be at grade; exceptions. 1§ '07 ch.271, 16 Mar.
- c **Cal.** Amdg. C.C.P. §1238 rel. to purposes for which property may be condemned: telephone lines; furnishing electric light, heat and power; cemeteries; restoring public records destroyed by calamity from plant of persons engaged in searching records. 2§ '07 ch.399, 20 Mar.
- d **Col.** Giving right of eminent domain for lines to telegraph, telephone, electric light or power and pipe line companies; right to cross other lines. Rep. '85 p.358. 9§ '07 ch.175, 2 Apr.
- e **Col.** Granting right of eminent domain to tunnel transportation, pipe line, electric power and aerial tramway companies. 16§ '07 ch.125, 9 Apr.
- f **Fla.** Amdg. G.S.'06 §2020: petitioner in proceedings in eminent domain to pay costs and *reasonable* atty.'s fee. 1§ '07 ch.112, 15 May
- g **Id.** Amdg. C. §5216 rel. to complaint in eminent domain proceedings: to contain allegation of attempt to purchase where owner resides in county. 1§ '07 p.321, 13 Mar.
- h **Ind.** State institutions may condemn property to connect drive-ways with public highway. 1§ '07 ch.37, 22 Feb.
- i **Ind.** Gov. may condemn real estate for public purposes; procedure. 6§ '07 ch.140, 9 Mar.
- j **Ind.** Amdg. '05 ch.48 §10 rel. to unpaid damages, nonuser and forfeiture after condemnation proceedings. 1§ '07 ch.184, 9 Mar.
- k **Ind.** State institutions may condemn property to connect drive-ways with public highways; if across railroad bd. of trustees to determine kind of crossing. 1§ '07 ch.238, 11 Mar.

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- n **Me.** '05 ch.164 rel. to assmt. of damages for property taken for public uses not to apply to railroads. 1§ '07 ch.70, 18 Mar.
- p **Nev.** Regulating exercise of right of eminent domain. 35§ '07 ch.128, 27 Mar.
- q **N. H.** Counties may take land by eminent domain; procedure 3§ '07 ch.42, 6 Mar.
- r **N. D.** Amdg. R.C.'05 §7598 rel. to payment for public or school lands condemned for public use. 1§ '07 ch.108, 15 Mar.
- s **Or.** Amdg. Ann. C.& S. §5074-75, 5094 rel. to exercise of eminent domain by certain corporations. 3§ '07 ch.147, 25 Feb.
- t **Pa.** On filing bond corp. instituting condemnation proceedings entitled to immediate possession; writ of habere facias possessionem may issue. 2§ '07 ch.310, 7 June
- u **Tenn.** Declaring unconst. '85 ch.135 in so far as it relates to jurisdiction of Circuit Court in condemnation of property of private corp. Title defective.  
Franklin Turnpike Co. v Long Distance Tel. Co. 99 S. W. 373 (1907)
- v **Vt.** Amdg. S. §3610 rel. to appeals in condemnation of land for burial grounds. 1§ '06 ch.114, 2 Nov.
- w **W. Va.** Declaring unconst. C.'06 §2370 rel. to right of eminent domain in owners of certain industries. Takes private property for private use. Hench v. Pritt 57 S. E. 808 (1907)
- x **Wy.** Procedure in exercise of right of eminent domain for acquiring water rights. 14§ '07 ch.52, 16 Feb.

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### Escheat

- a **Cal.** Amdg. C.C.P. §1269-72: proceedings by Atty. Gen. rel. to escheated real and personal property. 4§ '07 ch.253, 16 Mar.
- b **N. Y.** Amdg. public lands law '94 ch.317 §60, 62 rel. to conveyance to certain persons of escheats: those unable to take because of legal incapacity included. 2§ '07 ch.613, 18 July
- c **Tex.** Amdg. R.C.S.'95 art.1821-23, 1830 rel. to escheat. 4§ '07 ch.50, 29 Mar.
- d **Wash.** Procedure rel. to escheats; to become part of permanent school fund. 8§ '07 ch.133, 12 Mar

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### Estates in lands

- a **N. Y.** Amdg. C.C.P. § 2348, 2351-52, 2355, 2358-59, 2361: sale, mortgage or lease of inchoate dower or possibility of reverter of infant or incompetent. 7§ '07 ch.49, 14 Mar.

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### Partition

- a **Cal.** Amdg. C.C.P. §753-99 rel. to actions in partition. Rep. §795, 797. 16§ '07 ch.329, 19 Mar.
- b **Me.** Amdg. R.S.'03 ch.90 §10 rel. to costs in partition suit. 1§ '07 ch.58, 13 Mar.

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- c **Mass.** Amdg. R.L.ch.184 §47 rel. to partition: may be made at private sale on consent of all parties in interest. 1§ '07 ch.361, 3 May
- d **Tenn.** Amdg. C.'96 §5054: Chancery Court given jurisdiction of action for partition. 2§ '07 ch.403, 12 Apr.
- e **Wis.** Amdg. S.'98 §3110-11 rel. to order of reference in action for partition. 2§ '07 ch.210, 12 June
- f **Wis.** Amdg. S.'98 §3126: allowance of atty.'s charges out of proceeds of partition sale. 1§ '07 ch.326, 21 June
- g **Wis.** Amdg. S.'98 §3942: partition duly made may be made part of final decree rel. to estate. 1§ '07 ch.340, 22 June

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### Property lines

- a **Cal.** Surveyor Gen. to license surveyors; licensed surveyors to file record of survey affecting property lines with county recorder. Rep. '91 ch.255. 13§ '07 ch.247, 16 Mar.
- b **Col.** Action to establish disputed boundaries of land. 12§ '07 ch.126, 3 Apr.
- c **Kan.** Preservation of corner stones, monuments and landmarks. 3§ '07 ch.233, 27 Feb.
- d **Wis.** Landmarks to mark section may be made of iron pipe with screw top. Adds S.'98 §825m. 1§ '07 ch.83, 4 May

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### *Fences. Lawful fences*

*See also 2732, Roads*

- a **Id.** Amdg. C. §675, 677 rel. to lawful fences. 3§ '07 p.132, 5 Mar.
- b **Mich.** Amdg. C.L.'97 §2416: occupants of private way and of adjoining inclosed land to maintain partition fence. 1§ '07 ch.39, 4 Apr.
- c **Minn.** Spite fence declared private nuisance; action for damages. 2§ '07 ch.387, 24 Apr.
- d **Or.** Defining lawful woven and barbed wire fences; not to apply east of Cascade mountains; owner of animal breaking such fence liable. 2§ '07 ch.166, 25 Feb.
- e **Vt.** Amdg. S. §3567 rel. to fences; must be so constructed as to prevent escape of sheep. 1§ '06 ch.112, 6 Dec.
- f **Wash.** Amdg. Ballinger's Ann. C.& S.'97 §3523, 3326: adjoining owner not required to pay for extra cost of hog fence. 2§ '07 ch. 13, 14 Feb.
- g **Wis.** Amdg. S.'98 §1390a rel. to legal fences: space between bottom wire or pickets and ground to be not more than 4 inches. 1§ '07 ch.91, 10 May

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### WIRE FENCES

- a **Ark.** Felony to injure wire fence where damage over \$10; msdr. if less. 3§ '07 ch.275, 7 May
- b **U.** Msdr. to leave unbaled barbed wire in public place or allow same in fence to be loose. 2§ '07 ch.37, 13 Mar.

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*Plats. Town sites*

- a **Minn.** Amdg. R.L.'05 §3366-68 rel. to surveying and platting land. 3§ '07 ch.438, 25 Apr.
- b **Mon.** County comrs. may vacate plots, parks and streets on abandoned town site. 2§ '07 ch.6, 7 Feb.
- c **Mon.** Amdg. P.C. §5117: lots on city or town site unsold at end of 6 months to be disposed of at auction. 1§ '07 ch.130, 7 Mar.
- d **Neb.** Town site entries on public lands. 3§ '07 ch.155, 23 Mar.
- e **N. M.** Sale of town sites not yet disposed of. 6§ '07 ch.43, 18 Mar.
- f **U.** Office of engineer in city of 1st or 2d class place of record of maps. 6§ '07 ch.148, 25 Mar.
- g **Wis.** Amdg. S.'98 §2260: external boundaries of platted land to be marked with iron or stone monuments. 1§ '07 ch.85, 7 May

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**Rights of aliens**

- a **Minn.** Amdg. R.L.'05 §3238: land acquired by aliens, alien and certain other corporations, contrary to law, to be disposed in 10 years. 1§ '07 ch.439, 25 Apr.

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**Conveyance**

*See also 405, Mortgages; 447, Guardianship; 490, Family property; 512; Corporations; 835, Tax on deeds*

- a **N. D.** Amdg. R.C.'05 §5039: purchaser of real property defined. 2§ '07 ch.250, 8 Mar.
- b **Tenn.** Instrument of conveyance executed by public officer or person having fiduciary relation to be prima facie evidence of facts recited. 2§ '07 ch.334, 11 Apr.
- c **Wis.** Form of deed reserving life estate. Adds S.'98 §2208m. 1§ '07 ch.246, 19 June

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**Acknowledgments**

*Including commissioner of deeds*

- a **Ala.** Certified transcript of instrument not properly acknowledged, but of record for 20 years, of same force as if original properly acknowledged. 1§ '07 p.582, 6 Aug.
- aa **Id.** Acknowledgment of married woman to be in same form as if single. 1§ '07 p.5, 6 Feb.
- b **Id.** Amdg. R.S.'87 §2994: allows instrument acknowledged without state to be recorded. 1§ '07 p.6, 11 Feb.
- c **Minn.** Person authorized to take acknowledgments and administer oaths not to be barred from doing so by fact of being officer, director or stockholder of corp. interested. 1§ '07 ch.406, 25 Apr.
- d **N. J.** Amdg. '98 ch.232 §25-28 rel. to comrs. of deeds: number in discretion of Gen. Assembly; fees on qualifying. 4§ '07 ch.57, 13 Apr.

## REAL PROPERTY

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- e **N. Y.** Amdg. executive law '92 ch.683 §87, 88, 89 subdiv. 1 rel. to comrs. of deeds in other states and foreign countries: *such number as Gov. thinks proper* [15 in cities or counties in U. S. and 10 in cities of foreign countries]; *Gov. may remove; fee \$5.* 3§ '07 ch.142, 11 Apr.
- f **N. Y.** Amdg. real property law '96 ch.547 §260 subdiv. 3 rel. to persons who may take acknowledgments without state for record in state: clerk, register, recorder or prothonotary of county, *city or parish* included. 1§ '07 ch.633, 19 July
- g **N. C.** Amdg. Revisal '05 §1018: deeds of husband and wife acknowledged before different officers in foreign countries prior to Mar. 2, 1895 valid. 2§ '07 ch.34, 25 Jan.
- h **N. C.** Form of proof and certificate of deed executed by corp. 1§ '07 ch.927, 11 Mar.
- i **Or.** Amdg. Ann. C.& S. §5343, 5345: deeds executed in foreign country may be acknowledged according to laws of such country. 2§ '07 ch.169, 25 Feb.
- j **S. C.** Comrs. of deeds appointed prior to Jan. 1, 1896 to remain in office notwithstanding revocation of commissions by Gov. Mar. 20, 1901. 2§ '07 ch.357, 20 Feb.
- k **S. D.** Amdg. '05 ch.1 rel. to acknowledgment of corp. deeds: extended to mortgages. 4§ '07 ch.2, 27 Feb.
- n **S. D.** Amdg. C.C. §970-73 rel. to officers empowered to take acknowledgments: county clerk may not. 2§ '07 ch.3, 1 Mar.
- p **Tex.** Amdg. R.C.S.'95 art.2312: instrument recorded 10 years may be admitted in evidence though acknowledgment defective. 1§ '07 ch.165, 23 Apr.
- q **Wis.** Amdg. S.'98 §2216 rel. to acknowledgments of conveyances. 1§ '07 ch.568, 11 July

394

### Contract for sale of land

- a **Cal.** Amdg. C.C.P. §1598, 1600, 1607 rel. to conveyance of real property pursuant to contract made by decedent: executor may petition. 3§ '07 ch.385, 20 Mar.
- b **N. J.** Contract for sale of land void, except between parties, unless suit commenced in 3 months. 1§ '07 ch.200, 15 May
- c **Pa.** Appeal from decree in Court of Common Pleas directing specific performance of contract for sale of land, to act as supersedeas on depositing executed deed in court. 2§ '07 ch.214, 28 May

396

### Record

*See also 1797, Title insurance; 2497, County records; 2522(5, Recorder*

- a **Cal.** Requiring recording of maps of division of land into lots for purpose of sale; reference to unrecorded maps prohibited; penalty. 9§ '07 ch.231, 15 Mar.
- b **Id.** Deed made by officers, administrators etc. in representative capacity to be indexed in name of owner as grantor by officer etc. naming office. 1§ '07 p.95, 22 Feb.

396

- c **Ind.** Amdg. '59 ch.103 §1 rel. to filing transcripts of judgments conveying realty: volume and page of book where judgment is entered to be added. 1§ '07 ch.80, 27 Feb.
- d **Kan.** Amdg. G.S.'01 §4354-55 rel. to recording of land patents: certified copies may be recorded, and received in evidence. 3§ '07 ch.234, 8 Feb.
- e **Me.** List of heirs inheriting real property of intestate to be recorded with register of deeds. 1§ '07 ch.63, 13 Mar.
- f **Minn.** Amdg. R.L.'05 §533-34 rel. to reception and tract index books of register of deeds. 2§ '07 ch.442, 25 Apr.
- g **Mon.** Transfer of records to District Court of new county in action affecting real property therein. 4§ '07 ch.20, 19 Feb.
- h **N. J.** Instruments affecting realty heretofore recorded as releases may be recorded again as conveyances. 1§ '07 ch.185, 13 May
- i **Or.** Recording transactions as to real estate of decedent in counties other than where administration was had. 3§ '07 ch.75, 23 Feb.
- j **Or.** Recording in various counties of patents of U.S. to Or. 3§ '07 ch.76, 23 Feb.
- k **Pa.** Recorders of deeds to record deeds that are required to be registered elsewhere and have same registered; fee. 2§ '07 ch.29, 28 Mar.
- n **Pa.** Sec. of Internal Affairs to compile warrantee tract maps of each county; distribution; \$10,000. 3§ '07 ch.483, 13 June

397

*Abstracts*

- a **Ind.** Amdg. '01 ch.127 §18 rel. to organization of voluntary associations to insure titles, or make abstracts, loans etc. 1§ '07 ch.128, 8 Mar.
- b **Mo.** Making abstracts of land titles competent evidence where official records destroyed. 5§ '07 p.271, 27 Feb.
- c **Neb.** Amdg. C.S.'05 §4820: abstracter of title to file bond with personal sureties or surety company bond; penalty. 1§ '07 ch.98, 30 Mar.
- d **N. D.** Amdg. R.C.'05 §2231: bonds of abstracter of titles to be \$10,000 for each 10,000 inhabitants. 1§ '07 ch.1, 19 Mar.
- e **N. D.** Where records destroyed abstract of bonded abstracter prima facie evidence of title. 1§ '07 ch.2, 19 Mar.

398

*Torrens system*

- a **Ill.** Amdg. '97 p.139 §101, 102, rel. to registration of land titles: recovery of damages from indemnity fund. 2§ '07 p.207, 24 May
- b **Ill.** Amdg. '97 p.139 §11, 18, 48, 93, 94, 108; rep. §70-79 and adding §70, 71, 72 rel. to registration of land titles. 9§ '07 p.208, 24 May
- c **N. Y.** Comn. of 7 appointed by Gov. to report expediency of adopting Torrens system; report by Feb. 1, 1908. 4§ '07 ch.628, 19 July

398

- d **Or.** Amdg. Ann.C.& S. §5399, 5418, 5439, 5441-42, 5475, 5488, 5491, 5500 rel. to registered land titles. 9§ '07 ch.142, 25 Feb.
- e **Wash.** Registry and assurance of land titles. 98§ '07 ch.250, 19 Mar.

400

## Personal property

- a **Me.** Amdg. R.S.'03 ch.75 §1: trees cut into wood *and peeled hemlock bark* do not pass with realty. 1§ '07 ch.80, 20 Mar.

403

## Dramatic or musical compositions

- a **Ill.** Msdr. to perform or represent unpublished or undedicated dramatic composition. 1§ '07 p.266, 1 June

405

## Liens and mortgages

- a **Cal.** Mistake in statement not to invalidate lien, unless made fraudulently or where property since passed to bona fide holder. Adds §1203a to C.C.P. 1§ '07 ch.474, 22 Mar.
- b **Me.** Amdg. R.S.'03 ch.49 §54: mortgagee of real *or personal* property to have lien on fire insurance policy. 1§ '07 ch.116, 26 Mar.

## 407 Real property. Mortgages and trust deeds

*See also 1279, Railways*

- a **Minn.** Amdg. R.L.'05 §4389 rel. to filing lis pendens in action affecting real property: at time of *filing complaint* [commencement]. 1§ '07 ch.332, 23 Apr.
- b **N. J.** Judgment by confession on bond secured by mortgage not to be given unless notice of judgment be first filed with county clerk. 3§ '07 ch.231, 28 May
- c **S. D.** Amdg. C.C. §2056 rel. to contents of assignment of mortgage of real property to entitle it to be recorded. 2§ '07 ch.190, 1 Mar.

408

## Deeds of trust

- a **Col.** Rel. to release of deed of trust to public trustee. 1§ '07 ch.239, 9 Apr.

409

## Discharge

- a **Ct.** Release of mortgage after 15 years undisturbed possession by mortgagor; procedure. 1§ '07 ch.107, 5 June
- b **Mass.** Mortgage may be discharged by written acknowledgment of payment of debt duly recorded, in lieu of release. 1§ '07 ch.294, 13 Apr.

409

- c **N. Y.** Amdg. real property law '96 ch.547 §270: recording officer to give certificate of discharge of mortgage to party benefited. 1§  
'07 ch.347, 13 May
- d **N. Y.** Discharge of mortgages in counties in city of 1st class where property in more than 1 county. Adds real property law '96 ch. 547 §270b. 1§  
'07 ch.621, 19 July
- e **N. D.** Lien or mortgage may be discharged before due by tendering full amount due at maturity. 2§  
'07 ch.175, 13 Mar.
- f **N. D.** Amdg. R.C. §6173: holder of mortgage or lien on personal property to transmit discharge to register of deeds; liability to mortgagee on failure. 1§  
'07 ch.176, 13 Mar.
- g **Pa.** Payment into court of moneys charged on land when payees can not be found, to discharge lien. 3§  
'07 ch. 215, 28 May
- h **Tenn.** Requiring mortgagee or holder of trust deed to record full or part payment; forfeiture. 4§  
'07 ch.473, 15 Apr.

410

### Foreclosure. Redemption

*See also 736, Judicial sales; 829, Tax sales*

- a **Me.** Amdg. R.S.'03 ch.92 §4, 7: mortgaged premises must be redeemed in 1 [3] year. 2§  
'07 ch.163, 27 Mar.
- b **Minn.** Time for commencing action for foreclosure of mortgage to commence at date thereof unless date of maturity be stated. 1§  
'07 ch.197, 15 Apr.
- c **Neb.** Declaring void '97 ch.95 rel. to mortgage deficiency judgments. Irregularity in passage. *Moore v. Neece* 114 N. W. 767 (1908)
- d **N. D.** Purchaser at judicial or foreclosure sale of real estate to be allowed insurance land taxes paid during year for redemption. 3§  
'07 ch.127, 19 Mar.
- e **N. D.** Amdg. R.C.'05 §7176 which regulates fees of attys. and costs in foreclosure: affidavit of good faith to be filed by atty. 1§  
'07 ch.177, 19 Mar.
- f **S. D.** Amdg. C.C.P. §645 rel. to certificate of mortgage foreclosure sale. 2§  
'07 ch.189, 3 Mar.
- g **Wis.** Amdg. S.'98 §3526 rel. to notice of foreclosure of mortgage by advertisement. 1§  
'07 ch.178, 6 June

413

### Personal property. Chattel mortgages

- a **Cal.** Amdg. C.C. §2959 rel. to chattel mortgages: must be recorded in county of *resident* mortgagor. 1§  
'07 ch.458, 22 Mar.
- b **Cal.** Amdg. C.C. §2955 rel. to property that may be mortgaged: typesetting machines and sawmilling machinery included. 1§  
'07 ch.482, 22 Mar.
- c **Col.** Amdg. '03 ch.72 §2 rel. to extension of lien of chattel mortgage. 2§  
'07 ch.115, 9 Apr.
- d **Fla.** Penalty for executing 2d mortgage on personal property without notifying mortgagee of prior mortgage. 2§  
'07 ch.113, 3 June
- e **Me.** Supreme Judicial Court may determine title of goods notwithstanding lien of common carrier thereon. 1§  
'07 ch.133, 26 Mar.



## LIENS AND MORTGAGES

413

- f **Mass.** Allowing discharge of lien on personal property by giving bond. 2§ '07 ch.490, 12 June
- g **Mich.** Amdg. C.L.'97 §9523: transportation corp. need not file affidavit of renewal of chattel mortgage. 1§ '07 ch.332, 28 June
- h **Minn.** Amdg. '05 ch.328 §1-4: lien for storage of property. 4§ '07 ch.114, 5 Apr.
- i **Mon.** Amdg. C.C. §3865-66 rel. to extension of chattel mortgage payable in instalments. 3§ '07 ch.81, 4 Mar.
- j **N. M.** Amdg. C.L.'97 §2361: chattel mortgages to be recorded *in county where property is at time of execution*. 2§ '07 ch.14, 9 Mar.
- k **S. D.** Amdg. C.C. §2095 rel. to assignment of chattel mortgages. 2§ '07 ch.188, 7 Mar.
- n **Tex.** Chattel mortgage filed with county clerk to be returned to owner or destroyed after 6 years 3 months unless notification in writing be sent that same is not paid. 1§ '07 ch.140, 18 Apr.
- p **Vt.** Penalty \$5 to \$50 for mortgagee to discharge chattel mortgage of record within 30 days. 1§ '06 ch.80, 10 Dec.
- q **Vt.** Amdg. S. §2252: chattel mortgage invalid against *anyone* [except against mortgagor] unless *in writing* and recorded *within 30 days* [unless property in possession of mortgagee or mortgage recorded]. 1§ '06 ch.79, 14 Dec.

415

### Conditional sales

*See also 1271, Railroads; 1341, Street railways*

- a **S. C.** Provision that agreements reserving interest in vendor of personal property be in writing and recorded not to apply to property let for agric. purposes. Amds. C.C. §2655. 1§ '07 ch.291, 20 Feb.

416

### Pledges

- a **Ct.** Pledge of deposit in savings bank effective against pledgor only, unless transfer made on books of bank. 1§ '07 ch.62, 1 May

419

### Mechanics liens; labor and materials

- a **Cal.** Amdg. C.C.P. §1192: mining machinery placed on property by lessor not to be subject to mechanics lien on land where stipulated in lease not to be part of realty and lessor records lease or posts notices thereof on premises. 1§ '07 ch.303, 18 Mar.
- b **Nev.** Amdg. C.L.'00 §3604: Justice Court to have jurisdiction of mechanics liens of under \$300. 3§ '07 ch.303, 18 Mar.
- c **N. Y.** Amdg. lien law '97 ch.418 §15: assignment of contract with municipality for labor or furnishing materials for improvement of real property to be filed with chief fiscal officer thereof. 1§ '07 ch.360, 23 May
- d **N. Y.** Amdg. C.C.P. §3413 rel. to discharge of mechanics' lien by payment into court or deposit of securities: where in court not of record County Court to make order on payment to or deposit with county clerk. 1§ '07 ch.395, 3 June

419

- e **N. Y.** Assignment of contract for performing labor or furnishing material for public improvement or of money due thereon to be filed with head of dept. having charge of construction and with financial officer of municipality. Adds lien law '97 ch.418 §15a. 1§  
'07 ch.692, 22 July
- f **N. D.** Amdg. R.C.'05 §6241 rel. to district clerk's record of mechanics liens; to keep tract index of property covered. 1§  
'07 ch.167, 19 Mar.

420

*Preference of wage lien*

- a **Cal.** Declaring unconst. C.C.P. §1194 rel. to mechanics liens so far as it prefers persons performing manual labor to materialmen. Are placed on equality by Const. art.20 §15.  
Miltimore v. Nofziger Bros. Lumber Co. 90 P. 114 (1907)
- b **Cal.** Rep. C.C.P. §1204-7 and substituting new §1204-8: salaries and wages to be preferred claims on assignment, execution or attachment and against estates of decedents; dispute of claims; costs; distribution where assets insufficient. 5§  
'07 ch.256, 16 Mar.

421

**Special mechanics and other liens**

*See also 595, Practice of law*

- a **Ark.** Giving ginners lien on cotton and seed. 2§  
'07 ch.231, 27 Apr.
- b **Cal.** Amdg. C.C. §3051-52 rel. to liens for services performed on personal property: on animals for medical treatment; sale of property. 2§  
'07 ch.66, 1 Mar.
- c **Ill.** Creating horseshoer's lien on animals shod. 12§  
'07 p.375, 28 May
- d **Me.** Amdg. R.S.'03 ch.93 §50: lien for cutting and hauling hemlock bark, cordwood *or pulp wood*. 1§  
'07 ch.21, 19 Feb.
- e **Me.** Giving lien for labor on staves, laths or dowels. 1§  
'07 ch.25, 26 Feb.
- f **Mich.** Rev. '87 ch.280 rel. to lien on foal *and mare* for service of stallion: form and filing of contract. 5§  
'07 ch.145, 12 June
- g **Minn.** Lien on animal for shoeing; filing; form; procedure. 12§  
'07 ch.47, 23 Mar.
- h **Minn.** Raising submerged logs of another. Adds R.L.'05 §3535a-b. 2§  
'07 ch.428, 25 Apr.
- i **N. J.** Hotels to have lien on baggage; sale after 6 months. 6§  
'07 ch.183, 13 May
- j **N. D.** Amdg. R.C.'05 §6295 rel. to liens for repair of engine, threshing machine of well machine. 2§  
'07 ch.168, 13 Mar.
- k **N. D.** Amdg. R.C.'05 §6130 rel. to liens on future interests. 2§  
'07 ch.166, 14 Mar.
- n **Okl.** Declaring unconst. '01 ch.3 which prefers subsequent agistor's lien to chattel mortgage. Impairs obligation of contract.  
National Bank of Commerce v. Jones 91 P. 191 (1907)
- p **Or.** Amdg. Ann.C. & S. §5680 rel. to logging laborers liens; payment to contractor within 30 days of completion of work not to defeat lien. 1§  
'07 ch.123, 23 Feb.

## LANDLORD AND TENANT

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- q Or.** Giving prior lien on farm products for personal services or for those of live stock or machinery. 7§ '07 ch.139, 25 Feb.
- r Or.** Creating prior lien on crops for threshing or harvesting same with machine. 6§ '07 ch.140, 25 Feb.
- s Or.** Rel. to liens for laborers and materialmen in mines; notice of exemption. Amds. Ann. C.& S. §5668-72 8§ '07 ch.152, 25 Feb.
- t Pa.** Giving manufacturers and throwsters of cotton, woolen and silk goods lien on same. 2§ '07 ch.177, 23 May
- u S. D.** Allowing laborers and materialmen to intervene in or bring suit on bond of contractor for construction of schoolhouse. 2§ '07 ch.138, 4 Mar.
- v Vt.** Amdg. S. §2288 rel. to liens on colts. 1§ '06 ch.81, 7 Dec.
- w Wash.** Amdg. '93 ch.132 §1 rel. to liens on saw logs etc.: given to owner of team or engine engaged in hauling. 1§ '07 ch.9, 7 Feb.
- x Wy.** Amdg. R.S.'99 §2862 rel. to breeders liens: notice to be filed in 6 months [60 days]; form of notice. 2§ '07 ch.59, 16 Feb.

422

### Landlord and tenant

- a Ala.** Amdg. C.'96 §4730: unlawful to contract for lease of land and obtain thing of value on strength of contract and fail to perform same; penalty. 1§ '07 p.636, 15 Aug.
- b Cal.** Amdg. C.C.P. §1174: court *at discretion* to award treble damages in case of unlawful detainer. 1§ '07 ch.37, 23 Feb.
- c Cal.** Amdg. C.C. §827: landlord may change terms of month to month lease 30 [15] days before expiration. 1§ '07 ch.39, 26 Feb.
- d Ct.** Amdg. G.S.'02 §1078: notice to quit possession of real property to be given 10 days in advance on expiration of lease; 5 days on failure to pay rent. 1§ '07 ch.41, 17 Apr.
- e S. C.** Msdr. to violate lease of farming land; penalty. 2§ '07 ch.252, 20 Feb.

423

### Succession

*See also 492, Dower, curtesy*

- a Ind.** Person unlawfully causing death of another not to take from decedent by descent or devise. 2§ '07 ch.95, 2 Mar.
- b Kan.** Person convicted of killing another not to take property of such person by inheritance. 1§ '07 ch.193, 5 Mar.
- c Neb.** Succession to estates of decedents. Rep. C.S.'05 §2824-55, 2865, 3000. 9§ '07 ch.49, 9 Apr.
- d Tex.** Action in County Court to determine heirs of decedent. 6§ '07 ch.125, 17 Apr.
- e Vt.** Amdg. S. §2418, 2419: allowances hitherto made to widow to apply also to widower. 3§ '06 ch.83, 23 Nov.

424

### Descent

- a Cal.** Amdg. C.C. §1386 rel. to succession to estates of decedents. 1§ '07 ch.297, 18 Mar.
- b Col.** Determination of descent of real estate. 7§ '07 ch.247, 8 Apr.

424

- c **Del.** Amdg. '55 ch.243 §1: property of intestate illegitimate to descend to mother or her *heirs* [lawful issue]. 1§ '07 ch.224, 21 Mar.
- d **Id.** Amdg. R.S.'87 §5702 rel. to descent of property in case of intestacy. 2§ '07 p.338, 13 Mar.
- e **Ind.** Surviving husband or wife, provided for in will, to elect between devise and inheritance by descent; procedure; guardian to elect for insane survivor. 6§ '07 ch.48, 25 Feb.
- f **Ia.** Abolishing "rule in Shelley's case." 2§ '07 ch.159, 13 Apr.
- g **Mich.** Amdg. C.L.'97 §9285: child born after making of father's or mother's will to take as if parent died intestate. 1§ '07 ch.80, 8 May
- h **Minn.** Amdg. R.L.'05 §3648 rel. to descent of real property. 1§ '07 ch.36, 13 Mar.

425

#### Devises

- a **Mich.** Gift, grant, bequest, or devise to religious, educational or charitable uses not invalid because of indefiniteness of beneficiaries. 2§ '07 ch.122, 4 June

426

### Administration of estates

*See also* 836, Inheritance taxes; 1698, Trust companies

- a **Ct.** Probate Court not to order sale of real estate of deceased after 10 years where mortgaged or sold in good faith by heirs. 1§ '07 ch.28, 4 Apr.
- b **N. J.** Additional or substituted trustees to have same powers as original trustees appointed by will. 2§ '07 ch.39, 11 Apr.
- c **N. J.** Amdg. '98 ch.234 §137 rel. to securities in which executors, guardians and trustees may invest funds. 2§ '07 ch.146, 8 May
- d **Vt.** Amdg. S. §2387: will of person unheard of 5 [15] years to be admitted to probate; letters of administration; no distribution for 5 years; distributees to give bonds or property deposited in court, and may be distributed in 7 years; on reappearance absent person may recover from distributee in civil action. 1§ '06 ch.82, 17 Dec.
- e **Wis.** Amdg. S.'98 §2447, 3803, 3803a: disqualification of county judge in administration cases; removal of executor, guardian or trustee. 3§ '07 ch.289, 20 June

429

### Probate procedure

- a **Cal.** Amdg. C.C.P. §1323: *clerk* [court] to appoint time for hearing on petition for letters and probate of will. 1§ '07 ch.251, 16 Mar.
- b **Cal.** Amdg. C.C.P. §1717: where issue is tried by Probate Court without jury decision to be filed in writing. 1§ '07 ch.388, 20 Mar.
- c **Col.** Statute of limitations not to run against claim against estate filed. 1§ '07 ch.246, 2 Mar.
- d **Col.** When real estate not more than sufficient to pay balance of widow's and orphan's allowance, court may award it to widow or orphan without sale. 2§ '07 ch.250, 2 Mar.
- e **Col.** Determination of heirship in settlement of estate. 3§ '07 ch.249, 6 Mar.

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- f **Col.** Determination of heirship where value of estate is under \$500. 9§ '07 ch.248, 3 Apr.
- g **Col.** Creditor to apply for letters of administration within 2 years; claim thereafter barred. 2§ '07 ch.243, 8 Apr.
- h **Ct.** Notice of hearing in Probate Court may be given by judge, clerk or assistant clerk. 1§ '07 ch.37, 17 Apr.
- i **Id.** Amdg. R.S.'87 §3843: decision or order may be rendered in Probate Court out of term time. 1§ '07 p.39, 21 Feb.
- j **Mass.** Amdg. R.L.ch.142 §2: statute of limitations not to run against claims against estates during insolvency proceedings. 1§ '07 ch.257, 29 Mar.
- k **N. J.** Rel. to references in Orphans Court. Amds. '98 ch.234 §9. 4§ '07 ch.125, 7 May
- n **N. J.** Decrees of Orphans Court to be lien on land when docketed in Supreme Court; execution to issue from latter court. 7§ '07 ch.134, 7 May
- p **Or.** Amdg. Ann.C.&S. §914: in absence of county judge order in probate proceedings may be signed by circuit judge. 1§ '07 ch.132, 23 Feb.
- q **Pa.** Amdg. '66 ch.1030 §1 rel. to discharge of liens on real estate in Orphans Court: those made by will included; notice may be given by service or publication. 1§ '07 ch.25, 22 Mar.
- r **R. I.** Amdg. Court and Practice Act '05 ch.38 §770: notice to be given to all parties interested by clerk of Probate Court. 1§ '07 ch.1461, 23 Apr.
- s **Vt.** Return to Probate Court of original document used in appeal. 1§ '06 ch.85, 6 Dec.

430

**Probate courts and officers**

- a **Ct.** Probate judge may appoint assistant clerk with powers of clerk. 1§ '07 ch.103, 5 June
- b **Del.** Deputy register of wills may administer oaths, and issue letters where no contest. 2§ '07 ch.77, 9 Mar.
- c **Ga.** Amdg. '97 p.52 §1 rel. to ordinary pro hac vice in case ordinary be disqualified or incapacitated. 2§ '07 p.106, 22 Aug.
- d **Id.** Submitting amdt. to Const. 1889 art.5 §2, 17, 20, 24; art.18 §6; and rep. art.5 §11, 21; District Court for each county; Probate Court abolished; salaries of Supreme and District Court judges. 9§. Vote Nov. 1908. '07 p.592, 7 Mar.
- e **Ill.** Declaring unconst. '79 p.164 providing fees for Probate Court clerks in counties of 3d class. Defective title; exemptions not authorized; unequal and nonuniform taxation. Cook County v. Fairbank 78 N. E. 895 (1906)
- f **Kan.** Selection and powers of probate judge pro tem. 4§ '07 ch.166, 5 Mar.
- g **Me.** Amdg. R.S.'03 ch.65 §15 rel. to disability of probate judge by reason of interest. 1§ '07 ch.38, 6 Mar.
- h **Minn.** Rep. '99 ch.47 rel. to salary of probate judge in county of 28,000. 1§ '07 ch.32, 8 Mar.

430

- i Minn. Amdg. R.L.'05 §3637 rel. to salaries and clerk hire of judges of probate. 2§ '07 ch.322, 23 Apr.
- j N. Y. Amdg. C.C.P. §2509, 2511: deputy surrogate's clerk to be appointed in counties containing cities of 2d class. 2§ '07 ch.209, 25 Apr.
- k R. I. Regulating fees in Probate Courts. 5§ '07 ch.1464, 23 Apr.
- n Vt. Act of '02 ch.156 rel. to returns to Auditor of Accounts: not to apply to probate judges. 1§ '06 ch.206, 10 Dec.
- p Va. Declaring unconst. C.'04 §2639a in so far as it authorizes clerks of Corp. Courts to admit will to probate etc. Judicial authority not enumerated in Const. *McCurdy v. Smith* 60 S. E. 78 (1908)
- q Wis. Amdg. '01 ch.29 §4: county judge may appoint 3d assistant register of probate at \$1200 where business requires. 1§ '07 ch.222, 15 June

431

### Probate of wills

- a Cal. Amdg. C.C.P. §1339: will destroyed by public calamity in lifetime of testator without his knowledge may be probated. 1§ '07 ch.100, 6 Mar.
- b Cal. Amdg. C.C.P. §1300 rel. to petition for probate of will: must show heirs, *legatees* and devisees. 1§ '07 ch.252, 16 Mar.
- c Cal. Amdg. C.C.P. §1423: on probate of will discovered after granting of letters of administration *or of will later than one probated* former letters to be revoked. 1§ '07 ch.259, 16 Mar.
- d Cal. Amdg. C.C.P. §1431-32 rel. to transfer of probate proceedings to adjoining county where judge disqualified. 2§ '07 ch.260, 16 Mar.
- e Ind. Allowing probate of wills of persons absent and unheard of for 5 years; procedure. 1§ '07 ch.31, 21 Feb.
- f Kan. Amdg. '05 ch.526 §2 rel. to testimony in probate proceedings: will drawn by principal beneficiary not valid unless testator is proved to have known the contents and had independent advice. 2§ '07 ch.430, 28 Feb.
- g Mo. Amdg. R.S.'99 §4614: Probate Court judge or clerk to probate wills in vacation, *and take proof of date of death of testator.* 1§ '07 p.451, 21 Mar.
- h Or. Amdg. Ann.C.&S. §5551: will of unmarried *person* [woman] not revoked by *his or her* subsequent marriage. 1§ '07 ch.186, 25 Feb.

432

### Contest of wills

- a Cal. Amdg. C.C.P. §1328-29: action to revoke probate of will to be brought within 1 year. 2§ '07 ch.250, 16 Mar.
- b Col. Action to set aside probate of will or establish later will to be brought within 3 years to affect title of purchaser in good faith; thereafter legatee to be allowed for improvements to property. 4§ '07 ch.244, 15 Apr.
- i Kan. Amdg. G.S.'01 §7956-57 rel. to probate of wills: 3 [2] *years* in which to contest probate *or order refusing to probate.* 3§ '07 ch.429, 9 Mar.

## PROPERTY ESTATES

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- d **Mo.** Amdg. R.S.'99 §4622, 4624: after 2 [5] years probate or re-  
jection of will can not be opened. 2§ '07 p.451, 6 Mar.
- e **N. C.** Amdg. Revisal '05 §3135: caveat to will to be filed 7 years  
after probate or 3 years after removal of any disability. 2§  
'07 ch.862, 11 Mar.

433

### *Foreign wills*

- a **Del.** Amdg. R.C. ch.84 §6 rel. to filing proof of probate of for-  
eign will. 2§ '07 ch.234, 21 Mar.
- b **S. D.** Dispensing with probate of estate of nonresident under  
\$10,000 when already probated in another state. 2§ '07 ch.125, 7 Mar.

434

### **Attorney for minors**

- a **Or.** Amdg. Ann.C.& S. §1175: not necessary to appoint guardian  
ad litem of unknown minor heirs. 1§ '07 ch.150, 25 Feb.
- b **Wis.** Amdg. S.'98 §4041a: guardian ad litem may be compen-  
sated from body of estate where infant has no property. 1§  
'07 ch.267, 19 June
- c **Wis.** Amdg. S.'98 §2932 rel. to compensation and liability of  
guardian ad litem. Rep. §2931. 2§ '07 ch.325, 21 June

435

### **Probate bonds**

- a **Mo.** Amdg. R.S.'99 §12 rel. to executor's bond. 1§  
'07 p.63, 21 Mar.
- b **N. Y.** Amdg. personal property law '97 ch.417 §9 rel. to invest-  
ment of funds by executor, guardian etc.: premium on bond to secure  
payment may be paid from income if not exceeding ½% thereof. 1§  
'07 ch.669, 20 July

440

### **Administration**

- a **Cal.** Amdg. C.C.P. §1349-51 rel. to letters testamentary etc.:  
court to determine in order appointing whether estate is worth \$10,000.  
Adds §1350a. 4§ '07 ch.248, 16 Mar.
- b **Cal.** Amdg. C.C.P. §1371 rel. to petitions for letters of adminis-  
tration. 1§ '07 ch.249, 16 Mar.
- c **Cal.** Amdg. C.C.P. §1445 rel. to inventory of estate of decedent:  
interest in partnership to be appraised as single item. 1§  
'07 ch.262, 16 Mar.
- d **Col.** Amdg. '83 ch.181 §60, 106 rel. to executor's oath and sale  
of real property of estate. 2§ '07 ch.245, 3 Apr.
- e **Me.** Amdg. R.S.'03 ch.73 §13-14: provides for sale of real prop-  
erty of deceased persons and minors in foreign countries. 2§  
'07 ch.37, 6 Mar.
- f **Mass.** Amdg. R. L. ch.138 §2 rel. to public administrators: Treas-  
urer and Receiver Gen. to be made party to all proceedings. 2§  
'07 ch.284, 8 Apr.
- g **N. D.** Summary administration of estate of small value. 1§  
'07 ch.115, 14 Mar.

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- h Wis.** Application of share of absconding or nonresident legatee to payment of claim of his judgment creditor. Adds S.'98 §3940a. 1§  
'07 ch.141, 28 May
- i Wis.** Amdg. S.'98 §3844 rel. to claim of creditor of decedent in County Court. Adds §3840m. 2§  
'07 ch.169, 6 June
- j Wis.** Amdg. S.'98 §3940: judgment directing distribution of estate presumptive evidence of heirship of distributees. 1§  
'07 ch.635, 13 July

441

#### Administrators and executors

- a Cal.** Amdg. C.C.P. §1417: special administrator entitled to reasonable compensation to be fixed by court at final accounting. 1§  
'07 ch.258, 16 Mar.
- b Cal.** Amdg. C.C.P. §1436-37 rel. to removal of executor. 2§  
'07 ch.261, 16 Mar.
- c Cal.** Amdg. C.C.P. §1365 rel. to persons entitled to administer estates of decedents: to apply to relatives of previously deceased spouse who are entitled to share. 1§  
'07 ch.296, 18 Mar.
- d Cal.** Amdg. C.C.P. §1737 rel. to public administrators. Rep. §1733-34. 3§  
'07 ch.389, 20 Mar.
- e Cal.** Amdg. C.C.P. §1612: executor not liable on agreement of agent unless having authority *in writing*. 1§  
'07 ch.499, 23 Mar.
- f Mass.** Executor must be suitable person. Amds. R.L. ch.136 §4. 1§  
'07 ch.130, 19 Feb.
- g Mich.** Rep. '97 ch.126 rel. to administrator of deceased incompetent. 1§  
'07 ch.103, 22 May
- h Mon.** Declaring unconst. P.C. §4637 which imposes tax for county purposes on petitioner for letters of administration. Legis. may not levy tax for mun. purposes.

Hauser v. Miller 94 P. 197 (1908)

- i N. M.** Adding §44-54 to '01 ch.81: procedure on death of administrator. 13§  
'07 ch.81, 21 Mar.
- j N. D.** Amdg. R.C.'05 §8022 rel. to persons entitled to administration: public administrator of county where unadministered property remains; married woman *not* entitled. 1§  
'07 ch.116, 14 Mar.
- k W. Va.** Amdg. C. ch.85 §1, 5, 12 rel. to personal representatives of deceased. 3§  
'07 ch.56, 27 Feb.
- n Wis.** Amdg. S.'98 §2447, 3803, 3803a: removal of executor, guardian or trustee. 3§  
'07 ch.289, 20 June

442

#### Management and settlement

- a Ark.** Amdg. S.'04 §110, 224: classes of claims against decedents estates; executor to make final settlement in *18 months* [3 years]. 3§  
'07 ch.438, 28 May
- b Cal.** Amdg. C.C.P. §1693 rel. to unclaimed estates: personal property to be paid into *county* [state] treasury; *discharge of agent*. 1§  
'07 ch.233, 15 Mar.
- c Cal.** Amdg. C.C.P. §1452 rel. to possession of estate by executor: can not recover possession from heir after expiration of period for presentation of claims except in case of deficit in payment of legacies or expenses. 1§  
'07 ch.262, 16 Mar.



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- d **Cal.** Amdg. C.C.P. §1458-60 rel. to proceedings against persons unlawfully holding or disposing of property of decedents. 3§  
'07 ch.265, 16 Mar.
- e **Cal.** Amdg. C.C.P. §1499: statute of limitations not to run against claim during proceedings for settlement of estate. 1§  
'07 ch.305, 18 Mar.
- f **Cal.** Amdg. C.C.P. §1591: where real property conveyed by decedent in defraud of creditors has been recovered and applied to debts, balance to be paid to person to whom conveyance was made; during pendency of settlement court on petition may order estate invested in U. S. or state securities. Adds §1592; rep. §1640. 3§  
'07 ch.384, 20 Mar.
- g **Cal.** Amdg. C.C.P. §1622, 1636 rel. to accounting of executor: jury trial on contested claim. Rep. §1623-25. 5§ '07 ch.386, 20 Mar.
- h **Cal.** Amdg. C.C.P. §1643-44, 1647 rel. to payment of decedent's debts. 3§ '07 ch.387, 20 Mar.
- i **Cal.** Petition for trustee of estate of person missing; preference; bond; management; payment of debts; support of family. Adds §1822, 1822a, 1822b to C.C.P.; rep. pt. 3 t. 13 3§ '07 ch.399, 20 Mar.
- j **Cal.** Amdg. C.C.P. §1466-68 rel. to property set apart for support of family of deceased. 2§ '07 ch.507, 23 Mar.
- k **Cal.** Amdg. C.C.P. §1658, 1660-61, 1665, 1668 rel. to distribution of estate of decedent. Rep. §1663. 6§ '07 ch.533, 23 Mar.
- n **Ct.** Amdg. G.S.'02 §370: executor may convey real property held by deceased in fiduciary capacity to successor or persons entitled. 1§  
'07 ch.16, 28 Mar.
- p **Ct.** On application of creditor Court of Probate may appoint comrs. to decide on claim rejected by executor. 1§ '07 ch.169, 27 June
- q **Del.** Amdg. R.S. ch.90 §17: where real property is to be sold at expiration of life tenancy executor authorized to sell though will confer no power. 1§ '07 ch.235, 14 Mar.
- r **Ill.** Amdg. '72 p.77 §102 rel. to summons in sale of real estate by executor. 1§ '07 p.2, 4 June
- s **Ind.** Circuit Court may authorize sale of decedent's personal property at private sale. Rep. '91 ch.13. 2§ '07 ch.159, 9 Mar.
- t **Me.** Amdg. R.S.'03 ch.89 §14-15, 19: action against executor to be commenced in 20 [18] months. 3§ '07 ch.186, 28 Mar.
- u **Mass.** Amdg. R.L. ch.146 §18 rel. to sale by executor etc. of decedent's real property for distribution and other purposes. 1§  
'07 ch.236, 22 Mar.
- v **Mass.** Amdg. R.L. ch.148 §14 rel. to compromise of questions arising under wills and trusts. 1§ '07 ch.447, 24 May
- w **Mass.** Real estate of decedent not liable for debts 2 years after qualifying of executor. 2§ '07 ch.549, 21 June
- x **Mass.** Estate of decedent not to be attached in action on debt except by permission of court where executor was appointed; exception. 2§ '07 ch.553, 22 June
- y **Mich.** Amdg. C.L.'97 §9368-69: notice to creditors of decedent to be published [and posted]. 2§ '07 ch.49, 17 Apr.

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- z** **Minn.** Amdg. R.L.'05 §3790: taxes against estate to be paid before accounting allowed. 1§ '07 ch.434, 25 Apr.
- za** **N. H.** Fiduciary appointed both by Probate Court of this state and of another state, or nonresident, may give accounting without personal attendance. 2§ '07 ch.34, 27 Feb.
- zb** **N. D.** Amdg. R.C.'05 §8149: executor or guardian may sell land subject to mortgage *without paying same, in discretion of County Court.* 1§ '07 ch.114, 20 Mar.
- zc** **Or.** Amdg. Ann.C.& S. §18: action against representatives of deceased to be commenced in 1 year [6 months] after issuing of letters; in 6 years where no letters are issued. 1§ '07 ch.119, 23 Feb.
- zd** **Or.** Amdg. Ann.C.& S. §1182: executor may exercise testamentary power of sale without order of court [only to pay claims]. 1§ '07 ch.175, 25 Feb.
- ze** **Wis.** Allowance of claim against estate of deceased person. Adds S.'98 §3838m. 1§ '07 ch.419, 26 June
- zf** **Wis.** Method of computing present value of interest in estate of deceased person. Adds S.'98 §3871a. 1§ '07 ch.420, 26 June

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### Guardianship

*See also 2172, Children*

- a** **Ala.** Amdg. C. §2301: Probate Court may authorize compromise of claim by guardian by reason of doubtful solvency of debtor or invalidity at law. 1§ '07 p.114, 5 Mar.
- b** **Cal.** Generally amdg. C.C.P. §1750-1809 rel. to guardians. 14§ '07 ch.514, 23 Mar.
- c** **Me.** Married woman over 21 may act as guardian without assent of husband. 1§ '07 ch.151, 26 Mar.
- d** **Mo.** Contents of application for appointment as guardian of minor. 1§ '07 p.298, 18 Mar.
- e** **Mo.** At final settlement of guardian money to be paid to county treasurer where residence of ward unknown; to be paid into state treasury at end of year. 1§ '07 p.299, 21 Mar.
- f** **N. H.** Guardian may be nominated by will; probate judge for cause may refuse to appoint person so nominated. 3§ '07 ch.53, 13 Mar.

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### Insane and incompetent

*See also 2205, Insane; 2215, Feeble-minded*

- a** **Cal.** Amdg. C.C.P. §1774: guardian of insane person in state hospital not to make final accounting without notice given to sec. of State Comm. in Lunacy. 1§ '07 ch.269, 16 Mar.
- b** **Cal.** Amdg. C.C.P. §1763: certificate of medical supt. of state hospital that patient is unable to attend hearing as to his incompetency to be prima facie evidence. 1§ '07 ch.535, 23 Mar.
- c** **Kan.** Control of property of person of unsound mind, drug habitue or habitual drunkard; proof of incapacity; appointment and duties of guardian. Rep. G.S.'01 §3941-86; and '05 ch.4, 299, 300. 36§ '07 ch.247, 9 Mar.

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- d **Mass.** Guardian of insane person, spendthrift or incompetent may be appointed on 7 [14] days notice; *court may direct even shorter notice for cause*. Amds. R.L. ch.145 §6, 7, 40. 3§ '07 ch.169, 6 Mar.
- e **Mo.** Guardian of insane person to cause personal property to be appraised. 5§ '07 p.299, 21 Mar.
- f **N. C.** Amdg. Revisal '05 §1891, 4609: certificate of supt. of hospital of another state sufficient evidence for appointment of guardian of insane person. 2§ '07 ch.232, 19 Feb.
- g **Pa.** Appointment of guardian of insane, feeble-minded and epileptics; powers rel. to estate of ward. 9§ '07 ch.222, 28 May
- h **Tenn.** Next friend may prosecute action for incompetent without giving bonds. 1§ '07 ch.25, 2 Feb.

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**Sale, mortgage and lease of property**

- a **Cal.** Amdg. C.C.P. §1768: if income insufficient guardian to obtain order for sale *or mortgage* of ward's real property to pay debts. 1§ '07 ch.526, 23 Mar.
- b **Cal.** Amdg. C.C.P. §1578: contents of petition to mortgage real property of ward by guardian. 1§ '07 ch.532, 23 Mar.
- c **Ind.** Guardian by leave of court, empowered to mortgage real estate of ward for not to exceed 5 years beyond minority. 3§ '07 ch.230, 11 Mar.
- d **Mass.** Amdg. R.L. ch.146 §25 rel. to transfers of property of nonresident wards. 1§ '07 ch.219, 19 Mar.
- e **N. C.** Amdg. '05 ch.548 §1 (Revisal '05 §1590), rel. to sale of contingent remainder: court may authorize loan of proceeds till it can be reinvested in real estate [time not to exceed 2 years]. 1§ '07 ch.956, 11 Mar.; '07 ch.980, 11 Mar.
- f **Or.** Amdg. Ann. C.& S. §5603, 5611 rel. to sale of ward's property by guardian: *may be public or private*; after sale title not invalid for irregularities when contested by ward *or others*. 2§ '07 ch.225, 25 Feb.
- g **S. D.** Guardian may sell land of ward allotted by U. S.; procedure. 1§ '07 ch.121, 1 Mar.
- h **Vt.** Amdg. S. §2483: extends to surviving husband privileges of widow regarding license to sell estates. 1§ '06 ch.84, 15 Nov.
- i **Wash.** Amdg. Ballinger's Ann. C.& S.'97 §6434-35, 6437: sale of property of resident insane person authorized. 3§ '07 ch.50, 28 Feb.

448

**Trusts (general)**

- a **Cal.** Amdg. '91 ch.264 §1 rel. to trust companies acting as fiduciaries: oath may be taken by trust officer. 1§ '07 ch.289, 18 Mar.
- b **Col.** Amdg. Ann.S.'91 §4557 rel. to public trustee: appointed by Gov. [judges of Supreme Court]; bond of \$100,000 *executed by surety company*. 2§ '07 ch.238, 3 Apr.
- c **Ct.** Amdg. G.S.'02 §549 rel. to jurisdiction of action brought by executor, *trustee under will* or administrator. 1§ '07 ch.18, 2 Apr.
- a **Ill.** Limiting period of accumulation of trust funds created by deed or will. 1§ '07 p.1, 24 May

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- e **Mass.** Amdg. R.L. ch.162 §38: court may compel fiduciary who resigns or is removed to deliver property to successor. 1§  
'07 ch.129, 19 Feb.
- f **Mass.** Amdg. R.L. ch.147 §15 rel. to sale etc. of real estate by trustees: may obtain court order though having power to make such sale etc. by instrument creating trust. 1§  
'07 ch.262, 1 Apr.
- g **Mass.** Commissions and disbursements of trustees in connection with sale and purchase of property to be charged to capital; exception. 1§  
'07 ch.371, 4 May
- h **Mass.** Amdg. R.L. ch.150 §17 rel. to reopening accounting of fiduciaries; guardians and conservators included. 1§ '07 ch.438, 20 May
- i **N. H.** Fiduciaries may invest trust funds in investments allowed savings banks; stocks of banking corporations excepted. 1§  
'07 ch.15, 20 Feb.
- j **N. H.** Fiduciaries may, with approval of probate judge, hold stocks and bonds received as part of estate and be accountable therefor only as for real estate. 3§  
'07 ch.16, 20 Feb.
- k **N. H.** Amdg. P.S. ch.40 §5: towns to take trust gifts and bequests for care of cemeteries when not made liable beyond amount thereof and income. 1§  
'07 ch.70, 22 Mar.
- n **N. Y.** Amdg. real property law '96 ch.547 §87 rel. to conveyance or lease of property affected by trust: effective against all persons made parties [who did not appear and object]. 1§ '07 ch.242, 30 Apr.
- p **N. C.** Trustee appointed under will to file inventory and account same as executor. 3§  
'07 ch.804, 8 Mar.
- q **Pa.** Allowing fiduciaries not to exceed ½% for premium paid surety company to guarantee payment of mortgage in which funds are invested. 2§  
'07 ch.207, 28 May
- r **Pa.** Discharge of surety on bond of fiduciary; new bond. 4§  
'07 ch.279, 1 June
- s **Pa.** Amdg. '95 ch.286 rel. to investigation of certain companies appointed fiduciaries by court. 1§  
'07 ch.306, 7 June
- t **S. C.** Fiduciaries allowed to pay premium of surety company bond out of trust funds, not to exceed 1% of penalty of bond. 1§  
'07 ch.255, 19 Feb.
- u **Vt.** Appointment of trustees of absent persons. Amds. S. §2604, 2607. 3§  
'06 ch.86, 10 Dec.

449

## Insolvency. Assignments

*See also* 454, Debtors; 459, Sale of merchandise; 523, Corporations; 1687, Banking; 1743, Insurance

- a **N. Y.** Amdg. R.S. pt.2 ch.5 t.1 art.8 §20, 21 rel. to appointment of referee in insolvent debtors' proceedings. 2§  
'07 ch.476, 11 June
- b **Pa.** Requiring recorders of deeds to record certificates of bankruptcy; method of indexing. 3§  
'07 ch.124, 2 May
- c **Vt.** Assignment of future earnings invalid against trustee process unless in writing and for past or simultaneous debt or for future necessities; assignment to be filed with town clerk. 1§  
'06 ch.69, 19 Nov.

## CONTRACTS

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### Receivers

- a **Cal.** Amdg. C.C.P. §566-67 rel. to receivers: at least 2 [1] sureties; undertaking to *state* [person]. 2§ '07 ch.374, 20 Mar.

## 451 Homesteads. Exemption from execution

*See also 741, Attachment*

- a **Ari.** Homestead value \$2500; family personal property to amount of \$500 exempt from execution except for purchase price, laborers' or servants' wages; one half earnings for personal services exempt when necessary for use of family. Rep. R.S.'01 t.32. 23§ '07 ch.79, 21 Mar.
- b **Cal.** Amdg. C.C.P. §690: property exempt from execution *or attachment; U. S. pension money and investments therewith included.* 1§ '07 ch.479, 22 Mar.
- c **Del.** Amdg. R.C. ch.99 §17: exempt property to be delivered to debtor when levy made. 1§ '07 ch.242, 25 Feb.
- d **Minn.** Amdg. R.L.'05 §3453 rel. to area of homestead: in incorporated place of 5000 not more than  $\frac{1}{2}$  acre. 1§ '07 ch.335, 23 Apr.
- e **Minn.** Sale under foreclosure of balance of real property before homestead. 1§ '07 ch.389, 24 Apr.
- f **Mo.** Vesting of homestead rights of widow at death. Adds R.S.'99 §3620a. 1§ '07 p.300, 21 Mar.
- g **Mo.** Amdg. R.S.'99 §3620: where heirs other than children and widow, homestead may be sold for claims against estate. 1§ '07 p.301, 21 Mar.
- h **U.** Declaring unconst. R.S.'98 §1156 rendering homesteads liable to execution on mechanics lien. Const. exemption of homesteads without exception.

Volker-Scowcroft Lumber Co. v. Vance 88 P. 896 (1907)

453

## Contracts and other obligations

*See also 394, Contract for sale of land; 787, Contracts and supplies (public); 835, Tax on deeds and contracts; 1342, Street railways; 2113(5, Employment; 2560, Local finance*

- a **Ark.** Msdr. to refuse to perform written contract after receiving advances thereon, with intent to defraud; evidence; defense. 4§ '07 ch.271, 6 May
- b **Cal.** Amdg. C.C.P. §1973, statute of frauds: agreements to employ real estate agent, and those not to be performed in lifetime of promisor or to will property included. 1§ '07 ch.291, 18 Mar.
- c **Mich.** Amdg. C.L.'97 §9517 rel. to auctioneer's memoranda as memoranda of contract of sale. 1§ '07 ch.237, 27 June
- d **N. C.** Amdg. Revisal '05 §975 which requires contracts with Cherokee Indians for over \$10 to be in writing and subscribed by 2 witnesses: not to apply to those that can read and write. 1§ '07 ch.1004, 11 Mar.

453

- c Pa.** Provision in contract that award of engineer or architect be final or condition precedent not to oust jurisdiction of courts; corporations having power of eminent domain excepted. 1§  
'07 ch.274, 1 June
- f Tenn.** Unlawful to induce breach of contract; treble damages  
1§ '07 ch.154, 21 Mar.

454

#### Debtors

*See also* 449, Insolvency; 459, Sale of merchandise; 735, Judgments

- a Me.** Amdg. R.S.'03 ch.114 §23 rel. to disclosure of property by debtor. Rep. '05 ch.131, 134.  
'07 ch.2, 2 Feb.

455

#### Hotel keepers liability

- a Col.** Limiting hotel keepers liability. 8§ '07 ch.192, 22 Mar.
- b Ind.** Hotel keepers providing safe for deposit of valuables not liable; limit of liability; sale of unclaimed articles. 4§  
'07 ch.88, 1 Mar.
- c N. J.** Limitations of hotel keepers liability; safes; deposited valuables; other personal property; in case of fire. 6§  
'07 ch.183, 13 May

457

#### Seals

- a Or.** Amdg. Ann.C.& S. §764: seal may be printed on instrument; instrument without seal to be valid in this state if valid where executed. 1§  
'07 ch.173, 25 Feb.
- b Vt.** Private seal may consist of wafer, adhesive substance or paper affixed to instrument or word "seal" or letters L. S. opposite signature. 1§  
'06 ch.76, 16 Nov.

459

#### Sale of merchandise

- a Ari.** "An act rel. to the sale of goods." 78§ '07 ch.99, 21 Mar.
- b Ct.** Sale of goods. Rep. G.S.'02 §1090. 78§ '07 ch.212, 17 July
- c Fla.** Purchaser of goods in bulk to notify vendor's creditors; penalty. 6§  
'07 ch.84, 27 May
- d Mon.** Regulating sale of merchandise in bulk for protection of creditors of vendor. 5§  
'07 ch.145, 7 Mar.
- e Neb.** Sale of stock of merchandise in bulk to be void as against creditors of seller, unless after due notice; judicial sales excepted. 2§  
'07 ch.62, 4 Mar.
- f Nev.** Creditors to be notified of sale of merchandise in bulk; penalty. 5§  
'07 ch.102, 20 Mar.
- g N. J.** Sale of goods act. 77§ '07 ch.132, 7 May
- h N. J.** Prohibiting sales of merchandise in bulk in fraud of creditors. 3§  
'07 ch.237, 11 June
- i N. Y.** Transfer of merchandise in bulk void as against creditors not notified in advance; notification; penalty. Rep. '04 ch.569. 4§  
'07 ch.722, 24 July
- j N. C.** Sale of merchandise in bulk void as to creditors without notice; exceptions. 2§  
'07 ch.623, 5 Mar.

## CONTRACTS

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- k N. D.** Sale of merchandise in bulk void without notice to vendor's creditors. 2§ '07 ch.221, 8 Mar.
- n Vt.** Sale in bulk of merchandise except in usual course of business void as against creditors unless they be notified. 2§ '06 ch.140, 9 Nov.

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### Business name

- a Mass.** Persons or firms doing business under names or designations other than real ones, to file statement of full name and residence of each person so engaged; exceptions; penalty. 3§ '07 ch.539, 21 June
- b Mich.** Persons conducting business under fictitious designation to file names of real owners with county clerk; penalty. 5§ '07 ch.101, 22 May
- c Mon.** Requiring individual doing business under fictitious designation to file and publish real name. Adds C.C. §3285. 1§ '07.ch.150, 7 Mar.
- d Nev.** Assumed name in business prohibited unless real name filed with county clerk; penalty. 5§ '07 ch.197, 29 Mar.
- e Wash.** When business conducted under assumed name true names to be filed with county clerk. 5§ '07 ch.145, 13 Mar.

460

### Agency

- a N. Y.** Declaring unconst. '01 ch.128, Pen.C. §640d, msdr. in cities over 50,000 to offer for sale real property without written authority of owner. Violative of Const. art.1 §1, 6 and U. S. Const. art.1 §10 and 14th amdt.  
Frank L. Fisher Co. v. Woods 79 N. E. 836 (1907)
- b Wis.** Amdg. S.'98 §2246 rel. to recording revocation of letter of atty. 1§ '07 ch.393, 25 June

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### Acceptance of commission

- a Ind.** Defining and punishing bribery of railroad employees. 2§ '07 ch.120, 8 Mar.
- b Ia.** To prevent corrupt influencing of employee or public officer; penalty. 2§ '07 ch.183, 5 Apr.  
Amended; exception. 1§ '07 ch.184, 13 Apr.
- c Mon.** Supts., foremen etc. not to take money from employee on promise of continuance of employment. 2§ '07 ch.52, 28 Feb.
- d Neb.** To prohibit corrupt influencing of agents, employees or servants. 1§ '07 ch.171, 26 Feb.

461

### Money. Interest. Usury

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#### Interest. Usury

*See also 1727, Pawnbroking*

- a Ct.** Unlawful to make loan at more than 15% per annum; banks and pawnbrokers excepted; certain evasions prohibited; penalty. 5§ '07 ch.238, 27 July

463

- b **Me.** Amdg. R.S.'03 ch.46 §2 rel. to rate of interest on loans on personal property. 1§ '07 ch.97, 21 Mar.
- c **N. C.** Msdr. to charge more than 6% on loans on household furniture, to refuse to give receipts for payments or to fail to surrender evidence of debt after final payment. 2§ '07 ch.110, 4 Feb.
- d **Pa.** Rep. '03 ch. 19 which allowed any rate of compensation on advances of over \$5000 on negotiable instruments. 2§ '07 ch.5, 7 Mar.
- e **Tex.** Amdg. R.C.S.'95 art.3106: jurisdictions for recovery of usurious interest. 1§ '07 ch.143, 18 Apr.
- f **U.** Legal rate of interest 8%, contract rate 12%; provisions as to usury. Rep. R.S.'98 §1241. 14§ '07 ch.46, 14 Mar.
- g **Wis.** Amdg. S.'98 §1691 rel. to usury: not to be committed through agent. 1§ '07 ch.412, 25 June

464

### Negotiable instruments

*See also* 1596, Legal holidays

- a **Ala.** Negotiable instruments law. 198§ '07 p.660, 9 Aug.
- aa **Cal.** Prohibiting drawing check knowing no funds to cover it; penalty 1 to 14 years. Adds §476a to Pen.C. 1§ '07 ch.337, 19 Mar.
- b **Ga.** Notes etc. maturing on Sunday or holiday payable next business day. 2§ '07 p.97, 22 Aug.
- c **Ill.** Negotiable instruments law: the uniform law with amdts. 196§ '07 p.403, 5 June
- d **Mo.** Surety on note etc. on death of principal or co-surety may notify holder to proceed against estate of deceased; if not begun in reasonable time surety exonerated. 2§ '07 p.81, 19 Mar.
- e **Mo.** Amdg. '05 p.243 §85: negotiable paper falling due or becoming payable on Saturday to be presented next business day. 1§ '07 p.366, 19 Mar.
- f **Nev.** Negotiable instruments law. 197§ '07 ch.62, 14 Mar.
- g **N. M.** Crime to issue worthless check; penalties. 2§ '07 ch.16, 14 Mar.
- h **N. M.** Adopting negotiable instruments law uniform with that of other states. 197§ '07 ch.83, 21 Mar.
- i **N. C.** Amdg. Revisal '05 §2234 rel. to negotiable instruments maturing on holidays; provision as to Saturday omitted. 1§ '07 ch.897, 11 Mar.
- j **N. C.** Msdr. to obtain money or article of value by giving worthless check, draft etc. with intent to defraud. 2§ '07 ch.975, 11 Mar.
- k **R. I.** Amdg. '99 ch.674 §177 rel. to delay, without fault of holder of negotiable instrument, in presentment to acceptor for honor or referee. 1§ '07 ch.1459, 23 Apr.
- n **S. D.** If bank forward check or draft, deposited with it for collection, in usual commercial way, it shall be considered due diligence. 2§ '07 ch.74, 27 Feb.
- p **W. Va.** Uniform negotiable instruments law. Amds. C. ch.99 §1-8. 197§ '07 ch.81, 27 Feb.



## CONTRACTS

### 465 Days of grace

- a **N. C.** Amdg. Revisal '05 §2235: days of grace allowed on bills of exchange by *stipulation only*. 2§ '07 ch.861, 9 Mar.

### 466 Partnership

- a **Pa.** Amdg. '74 ch.153 §1 rel. to formation of limited partnership associations: telephone or telegraph companies with capital of not more than \$5000 included. 1§ '07 ch.295, 7 June

### 467 Suretyship

- a **W. Va.** Amdg. C. ch.101 §1: surety or indorser may require creditor, by written notice, to bring action; *notwithstanding such notice surety must be regularly served*. 1§ '07 ch.37, 22 Feb.

### 468 Torts

*See also index under Damages to property*

- a **Id.** Plaintiff not required to show lack of contributory negligence. 1§ '07 p.323, 13 Mar.  
b **Wis.** Amdg. S.'98 §4253: action for damage to property rights to survive death of plaintiff. 1§ '07 ch.353, 24 June

### 470 Forcible entry and detainer

- a **Neb.** Enforcement of judgments in forcible entry and detention. 1§ '07 ch.163, 23 Mar.  
b **Or.** Amdg. Ann.C.& S. §5746: extending jurisdiction of Circuit Court to action in ejectment. 1§ '07 ch.77, 23 Feb.

### 471 Personal injury

*See also 1315, Railroads; 2125, Employers liability; 2446, Municipalities; 2728, Roads*

- a **Fla.** Amdg. G.S.'06 §3146 rel. to survival of right of action in case of death of person entitled to sue for death of another caused by negligence. 1§ '07 ch.53, 3 June  
b **Mass.** Amdg. R.L. ch.171 §2 rel. to damages for death caused by negligence: servants' negligence may be *ordinary* [gross]; maximum recovery \$10,000 [\$5000]; action to be commenced in 2 [1] years. 1§ '07 ch.375, 4 May  
c **Mass.** Amdg. '06 ch.463 pt.1 §63: penalty for railroad causing death by its [gross] negligence \$500 to \$10,000 [\$5,000]. 2§ '07 ch.392, 8 May  
d **Mich.** Rep. '05 ch.89 which provided measure of damages for death due to negligence. 1§ '07 ch.217, 24 June  
e **Mo.** Amdg. R.S.'99 §2866: limit of recovery in case of death caused by negligence \$10,000 [\$5000]. 1§ '07 p.252, 19 Mar.  
f **Mo.** Action for personal injury not to abate at death of plaintiff. 1§ '07 p.252, 19 Mar.

471

- g Mon.** Amdg. C.C.P. §66 rel. to jurisdiction of justice of peace: extended to action for personal injury where damages less than \$300. 2§ '07 ch.76, 4 Mar.
- h Neb.** Amdg. C.S.'05 §2803 rel. to recovery of damages for death: widower may recover for death of wife; limit of damages [\$5000] removed. 2§ '07 ch.47, 3 Apr.
- i N. J.** Amdg. '07 ch.58 §2 rel. to damages for death caused by wrongful act: action to be brought in 24 [12] months. 1§ '07 ch.149, 8 May
- j N. M.** Procedure in personal injury cases: injured person to file affidavit within 90 days after injury and at least 30 days before bringing suit; suit to be commenced within 1 year after injury. '03 ch.33, 11 Mar.  
Disapproved and declared null by Cong. 1908 Public r.22, 13 May
- k Or.** Amdg. Ann.C.& S. §381: limit of recovery for death caused by negligence \$7500 [\$5000]. 1§ '07 ch.72, 23 Feb.
- n Wis.** Amdg. S.'08 §4256: where no spouse, descendent or ancestor survive, brothers and sisters may recover for death caused by wrongful act. 1§ '07 ch.164, 6 June

472

#### Libel. Slander

- a N. J.** Msdr. to circulate false reports as to solvency of banking institution. 1§ '07 ch.50, 12 Apr.
- b N. Y.** Requiring name and address of owner or if corp. of president, sec. and treasurer to be printed in newspaper or other periodical; penalty; person falsely allowing use of name liable as if owner. 3§ '07 ch.475, 11 June
- c Pa.** Rep. '03 ch.265 which provided for recovery of damages arising from negligent publication in newspaper and for printing names of owners and managing editors. 6§ '07 ch.102, 1 May
- d Pa.** Newspapers to print in each issue names of owners and managing editors; penalty. 4§ '07 ch.120, 2 May

473

#### Trespass

*See also* 326, Crimes; 1879, Domestic animals; 1908, Game and fish

- a Me.** Person committing waste and trespass on lands of another liable in double damages. 1§ '07 ch.135, 26 Mar.

474

#### Family

- a Col.** Defining head of family. 1§ '07 ch.212, 9 Apr.

476

#### Marriage

*See also* 264, Crimes against public morals and the family

477

#### Parties. Age

- a Mass.** Amdg. R.L. ch.151 §20 rel. to marriage of certain minors: where parent lives out of state or has deserted family consent of guardian necessary; if address of such parent be known he must be notified unless he has deserted. 1§ '07 ch.159, 1 Mar.

## FAMILY

477

- b **N. H.** Marriage of male under 14 or female under 13 void; age of consent in male 18, female 16; court order to be obtained for marriage where either party under age of consent; penalty. Rep. P.S. ch.174 §4. 6§ '07 ch.80, 26 Mar.
- c **U.** Amdg. R.S.'98 §1183-84: marriage between 1st *cousins* or within 5th [4th] degree of consanguinity incestuous; with person afflicted with *syphilis, gonorrhea or chronic epilepsy* void. 2§ '07 ch.29, 11 Mar.
- d **Wis.** Insane, feeble-minded or epileptics not to marry; msdr. to solemnize or aid such marriage; penalty. Adds S.'98 §4593m-n. 2§ '07 ch.642, 15 July

478

### *License*

- a **Cal.** Amdg. C.C. §69 rel. to marriage licenses: must show race of parties; male under 21 or female under 18 must have written consent of parents. 1§ '07 ch.241, 15 Mar.
- b **Me.** Marriage license to contain notice of penalty for unauthorized person to solemnize marriage. 2§ '07 ch.65, 15 Mar.
- c **N. Y.** Amdg. domestic relations law '96 ch.272 by providing for marriage licenses. 20§ '07 ch.742, 26 July
- d **N. D.** Amdg. R.C.'05 §4036: marriage license to be issued in county where *either party resides* [ceremony performed]. 1§ '07 ch.172, 13 Mar.
- e **Vt.** Amdg. S. §2637 rel. to marriage licenses: consent of parent or guardian to be in writing; not to be issued to idiot or lunatic; exception; written consent to be attached to license; penalty. 2§ '06 ch.87, 7 Dec.
- f **Wy.** Amdg. R.S.'99 §2960-61: marriage license not to be issued to parties incompetent to marry in the state where resident. 2§ '07 ch.97, 21 Feb.

479

### *Ceremony. Solemnization*

- a **Cal.** Amdg. C.C. §70: justice of District Court of Appeal may solemnize marriage. 2§ '07 ch. 60, 1 Mar.
- b **Me.** Resident clergymen may solemnize marriage; to be vouched for by bishop or presiding elder; Sec. of State to issue certificate. 1§ '07 ch.99, 21 Mar.
- c **N. Y.** Amdg. domestic relations law '96 ch.272 §11 subdiv. 2,3; §17 rel. to solemnization of marriage by public officers: in city of 100,000 to 1,000,000 by mayor, city clerk and justice of police or mun. court only; fees may be required to be paid into treasury of such city. 2§ '07 ch.480, 11 June
- d **Wy.** Amdg. R.S.'99 §2962: court comrs. may solemnize marriage. 1§ '07 ch.37, 16 Feb.

480

## Divorce

- a **Del.** Divorce law. Rep. R.C. ch.75; '99 ch.290, 291. 30§ '07 ch.221, 29 Mar.
- b **Kan.** Divorces regularly granted in other states to be given full faith and credit in Kan. 1§ '07 ch.184, 11 Mar.

480

- c **Mich.** Amdg. C.L.'97 §8623: divorce a vinculo not to be granted when not asked for in complaint *unless court deem best.* 1§  
'07 ch.324, 28 June
- d **Mon.** Amdg. C.C. §132, 134 rel. to divorce: 3 kinds recognized; extreme cruelty defined. 2§  
'07 ch.118, 6 Mar.
- e **N. J.** "An act providing for divorces and for decrees of nullity of marriage, and for alimony and the maintenance of children." Rep. '02 ch.157, '05 ch.163. 34§  
'07 ch.216, 17 May
- f **S. D.** Rel. to actions for divorce: plaintiff must be resident of state 1 year, county 3 months; exceptions; hearings and trials, except for interlocutory decree and alimony pendente lite, to be had at regular term. 5§. To be submitted for referendum vote Nov. 1908.  
'07 ch.132, 8 Mar.

481

*Alimony. Division of property*

- a **Neb.** Amdg. C.S.'05 §3189: innocent party to a divorce not entitled to share in real estate of other party, unless expressly awarded in the decree. 2§  
'07 ch.50, 8 Apr.
- b **N. H.** Amdg. P.S. ch.176 §4: where husband insane or cause for divorce exists and wife petitions for allowance, court may grant temporary allowance pending final hearing on petition. 2§ '07 ch.31, 20 Feb.
- c **Vt.** Divorced wife may convey realty without husband joining; law of descent applicable to absolute divorce to apply. 1§  
'06 ch.88, 7 Dec.

485

*Grounds*

- a **Me.** Amdg. R.S.'03 ch.62 §2 rel. to causes for divorce: insanity where patient is confined in state asylum 15 years and is incurable; libellant not excused from support of libellee. 1§ '07 ch.148, 26 Mar.
- b **N. C.** Allowing divorce after 10 years separation, residence in state during such period, where no children. 1§ '07 ch.89, 1 Feb.

486

*Remarriage*

- a **Col.** Amdg. '93 ch.80 §9: court to discontinue alimony on remarriage of plaintiff, except as to support of minor children. 1§  
'07 ch.173, 6 Mar.
- b **Ia.** Amdg. C. §3181: msdr. for divorced persons to marry within 1 year. 1§  
'07 ch.161, 20 Mar.

489

*Trials. Procedure*

- a **Cal.** Amdg. C.C.P. §939: appeal may be taken from interlocutory judgment or order in action for divorce. 1§  
'07 ch.42, 28 Feb.
- b **Col.** Jury of 3 sufficient in divorce case; may be increased to 12 on demand of party, latter to pay additional cost; no jury on default. 3§  
'07 ch.123, 9 Apr.
- c **Mass.** Superior Court may appoint atty. to investigate or defend divorce suit; police to assist. 1§  
'07 ch.390, 8 May
- d **Mich.** Amdg. C.L.'97 §8657 rel. to duty of prosecuting atty. opposing divorce decree. 1§  
'07 ch.315, 28 June
- e **N. C.** Amdg. Revisal '05 §1563 rel. to time for wife to file petition or bring action for divorce. 1§  
'07 ch.1008, 11 Mar.

## FAMILY

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- f **Or.** Abolishing district atty.'s fees in divorce suits. 2§  
'07 ch.202, 25 Feb.

490

### Family property

- a **N. M.** Rel. to property rights of husband and wife: separate unless otherwise specified; community property; curtesy and dower abolished; marriage settlements to be recorded; distribution on succession. Rep. C.L.'97 §2051, 2055 A-B; '01 ch.62 §1-9, 30. 34§  
'07 ch.37, 18 Mar.
- b **N. C.** Amdg. Revisal '05 §958: wife need not join in purchase money mortgage or deed of trust. 1§  
'07 ch.12, 18 Jan.

491

### Community property

- a **Id.** Amdg. R.S.'87 §5713 rel. to succession to community property. Rep. §5712. 2§  
'07 p.346, 13 Mar.

492

### Dower. Curtesy

*See also 423, Succession*

- a **Neb.** Rep. C.S.'05 §4799-4800 rel. to real estate of married women and conveyance of dower rights. 1§  
'07 ch.96, 9 Apr.
- b **Or.** Declaring unconst. '93 p.195 which increased dower, as to preexisting debts. Impairs obligation of contract.  
Davidson v. Richardson 91 P. 1080 (1907)
- c **Or.** Amdg. Ann.C.& S. §5544: estate by curtesy to extend to 1/2 [all] of lands possessed by wife during marriage; *to be ad-measured and barred as dower.* 1§  
'07 ch.87, 23 Feb.
- d **Or.** Husband or wife may constitute other atty. in fact to release dower or curtesy; to release dower wife's deed need not expressly provide therefor, unless it be of inchoate dower to other than grantee of husband. Amds. Ann.C.& S. §5227, 5537. 5§  
'07 ch.170, 25 Feb.
- e **Pa.** Amdg. '56 ch.568 §10 rel. to allotment of land in partition: widow's third to be paid to trustees appointed by court. 2§  
'07 ch.263, 1 June

494

### Property rights of married women

- a **Ind.** Married woman under 21 years may convey realty on being joined by adult husband and subject to approval of judge of Circuit Court. 3§  
'07 ch.76, 26 Feb.
- b **Minn.** Amdg. R.L.'05 §3335: wife may convey real estate directly without husband joining. 2§  
'07 ch.123, 6 Apr.
- c **Minn.** Amdg. R.L.'05 §3607 rel. to conveyance of real estate by married woman. 2§  
'07 ch.417, 25 Apr.

495

### Rights when wife or husband is insane

- a **Ark.** Chancery Court may set apart life estate in real estate of husband for insane wife; balance may be conveyed free of dower. 3§  
'07 ch.393, 23 May
- b **Neb.** Conveyance of interest of insane wife, or husband in lands of spouse. Rep. C.S.'05 §4829a-d. 8§  
'07 ch.99, 30 Mar.

495

- c **Or.** When other is insane husband or wife may convey separate real estate as though unmarried. 1§ '07 ch.194, 25 Feb.
- d **Wis.** Amdg. S.'98 §2172a rel. to election of rights in husband's estate of widow mentally incompetent. 1§ '07 ch.427, 26 June

496

### Support of family

*See also* 2151, Support of pauper; 2203, Support (insane)

- a **Cal.** Amdg. C.C. §137: when husband deserts or fails to support wife or gives cause of action for divorce she may maintain action for support without applying for divorce. 1§ '07 ch.63, 1 Mar.
- b **Cal.** Msdr. to fail to support family; release on undertaking. Adds §270a, 270b to Pen.C. 2§ '07 ch.74, 3 Mar.
- c **Ga.** Amdg. Pen. C. '95 §114 rel. to abandonment of child by father: child considered abandoned when father furnishes insufficient food and clothing. 2§ '07 p.57, 22 Aug.
- d **Id.** Msdr. for husband to neglect to support wife and minor children; court may accept bond in lieu of enforcing penalty. 3§ '07 p.303, 12 Mar.
- e **Ind.** Amdg. '05 ch.169 §635 rel. to abandonment of wife and children, *felony*, penalty 1 to 3 years and disfranchisement for 3 years or \$10 to \$100 to which may be added 1 year in jail or workhouse. 1§ '07 ch.49, 25 Feb.
- f **Ind.** Felony for parents to neglect to provide for children; penalty; release on bond under promise to provide; application of parent's wages. 3§ '07 ch.105, 5 Mar.
- g **Ia.** Punishment for neglect to support or desertion of family by husband; husband or wife may testify. 6§ '07 ch.170, 26 Mar.
- h **Me.** "An act to prevent desertion and nonsupport of families." 3§ '07 ch.42, 6 Mar.
- i **Mass.** Amdg. R.L. ch.162 §19 rel. to support of wife and children where parents live apart. 1§ '07 ch.266, 1 Apr.
- j **Mich.** Amdg. '03 ch.39 which provides penalty for desertion of family by husband: warden of prison to pay local supt. of poor \$1.50 per week for wife and 50c additional for minor child under 15 in lieu of earnings of convict. 5§ '07 ch.144, 12 June
- k **N. H.** Msdr. for husband or wife to desert family; penalty; application of fine; suspension of sentence. 4§ '07 ch.71, 22 Mar.
- n **N. D.** Amdg. R.C.'05 §4082: husband and wife jointly and severally liable for debt contracted by either for necessities and education of children. 1§ '07 ch.136, 19 Mar.
- p **Or.** Msdr. to neglect to support family; penalty 30 days to 1 year; probation; wife competent witness. 5§ '07 ch.78, 23 Feb.
- q **Pa.** Amdg. '67 ch.56 §2: husband deserting family to be compelled to contribute for support [not exceeding \$100 per month]. 2§ '07 ch.4, 5 Mar.
- r **Pa.** Wife deserted by husband may bring action for maintenance and proceed against his property. 2§ '07 ch.176, 23 May

496

- s R. I. Amdg. G.L. ch.281 §24 and adding §38: penalty for abandoning family 6 months to 3 years, or 1 year in jail. 2§ '07 ch.1447, 19 Apr.
- t S. D. Amdg. Pen.C. §341: msdr. to neglect to provide for child or wife. 2§ '07 ch.197, 12 Feb.
- u Tenn. Msdr. for man to abandon family. 3§ '07 ch.56, 8 Feb.
- v Tex. Msdr. to abandon or neglect family; suspension of sentence on entering into recognizance. 2§ '07 ch.62, 5 Apr.
- w U. Amdg. R.S.'98 §4224: penalty for parent to neglect child under 16, \$10 to \$1000; suspension of sentence. 1§ '07 ch.130, 23 Mar.
- x Wash. Penalty for desertion of family; suspension of sentence on conditions imposed by court; husband and wife competent witnesses against each other. 3§ '07 ch.103, 11 Mar.

497 **Children: adoption, custody, legitimation**

*See also 2172, Dependent and neglected children*

- a Ari. Msdr. to allow life, health or moral welfare of child to be endangered; penalty. 2§ '07 ch.12, 5 Mar.
- b Ari. Child whose parents are unknown and not in custody of institution or society may be adopted with consent of persons having its actual care. Adds to R.S.'01 §2039. 1§ '07 ch.21, 12 Mar.
- c Cal. Amdg. C.C. §226 rel. to adoption of children: persons whose consent necessary must appear in court if resident of county [state]. 1§ '07 ch.266, 16 Mar.
- d Cal. Amdg. C.C. §224: child left in custody of another and abandoned for more than 1 year may be adopted with consent of district atty. 1§ '07 ch.268, 16 Mar.
- e Del. Adoption of child on petition to associate judge by stranger where parents unfit. 4§ '07 ch.223, 21 Mar.
- f Ill. Amdg. R.S.'74 ch.4 §1, 2, 3 rel. to adoption of children. 3§ '07 p.3, 25 May
- g Mass. Amdg. R.L. ch.154 §3: if child adopted is supported by city or town overseers of poor to be notified. 1§ '07 ch.405, 14 May
- h Minn. Amdg. R.L.'05 §4060: parent suing for injury to minor child to give bond before receiving amount recovered. 1§ '07 ch.58, 23 Mar.
- i Mon. Amdg. C.C. §310: person adopting child to be citizen or one who may become citizen of U. S., and of same race as child. 2§ '07 ch.140, 7 Mar.
- j Or. Amdg. Ann.C.& S. §5316 rel. to adoption of children. 1§ '07 ch.172, 25 Feb.
- k R. I. Amdg. G.L. ch.192 §1: any person [inhabitant] may petition to adopt child; mun. or Probate Court where child resides to have jurisdiction. 2§ '07 ch.1423, 27 Mar.
- n S. C. Written consent of wife filed with clerk of County Court prerequisite to adoption of illegitimate child. Amds. C.C. §2704. 1§ '07 ch.267, 25 Feb.
- p Tex. Custody and parental authority over adopted child to be transferred to adoptive parents; rights of child for support; provisos. 1§ '07 ch.47, 26 Mar

497

- q U. Amdg. R.S.'98 §1: person not minor whose parents are dead, may be adopted by another adult. 1§ '07 ch.75, 14 Mar.
- r Wy. Amdg. R.S.'99 §3015 rel. to adoption of children: children's home societies to be regarded as parents where latter unknown. 1§ '07 ch.8, 9 Feb.

498

### Change of name

- a Cal. Amdg. C.C.P. §1279 rel. to change of name: *certified copy of decree to be filed with Sec. of State* [county clerk to make annual return]. 1§ '07 ch.275, 18 Mar.

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## Corporations

See also 841, Corporation taxes; 1200, Transportation; 1679, Banking; 1732, Insurance; 2627, Municipal utilities

- a Cal. Amdg. C.C. §290 rel. to corporations: not less than 3 [5] directors; *articles of incorp. may classify stock as common and preferred*. 1§ '07 ch.278, 18 Mar.
- b Cal. Amdg. C.C.P. §803: action against corp. for usurpation of franchise may be brought by Atty. Gen. 1§ '07 ch.324, 19 Mar.
- c Cal. Corp. sole to have continuous existence notwithstanding vacancy in incumbency. Adds §602a to C.C. 1§ '07 ch.446, 21 Mar.
- d Del. Directing Sec. of State to have printed 3000 copies of gen. corp. law and annual franchise tax law. '07 ch.268, 4 Mar.
- e Del. Amdg. '03 ch.394 §5, 129, 137 rel. to incorp. and incorp. fees. 4§ '07 ch.174, 21 Mar.
- f Id. Amdg. R.S.'87 §2576, 2594, 2637 rel. to corporations: directors of voluntary associations; elections; increase or reduction of capital. 3§ '07 p.540, 16 Mar.
- g Id. Articles of incorp. to be recorded by Sec. of State in properly indexed book; not to apply to foreign corp. 1§ '07 p.555, 16 Mar.
- h Ind. Corporations having capital stock to file annual reports and resolutions with Sec. of State; penalties; blanks for report; filing fee. Rep. R.S.'52 ch.66 §13. 6§ '07 ch.58, 26 Feb.
- i Ind. Generally amdg. '05 ch.139 §1 rel. to certificate of incorp. of manufacturing and mining companies. 1§ '07 ch.178, 9 Mar.
- j Ind. Amdg. '01 ch.127 §15: voluntary associations may be organized to conduct mercantile operations, *to manufacture articles handled in connection therewith, for printing and bookbinding business*. 1§ '07 ch.270, 12 Mar.
- k Ia. Amdg. C. §1610: articles of incorp. of corp. for profit to be approved by Sec. of State who may request opinion of Atty. Gen.; appeal to Executive Council from rejection. 1§ '07 ch.70, 6 Apr.
- n Kan. Private corporations: purposes, manner of creation, duration; foreign corporations; fees; powers. Amds. G.S.'01-§1259, 1261; rep. §1248-73, 1283, 1284, 1311, & '03 ch.150. 32§ '07 ch.140, 11 Mar.
- p Mich. Amdg. '03 ch.232 §8: domestic corp. may do business in foreign country. 1§ '07 ch.51, 17 Apr.
- q Minn. Incorp. of coöperative associations to sell product of coöperative manufacturing or agric. association. 3§ '07 ch.293, 22 Apr.



## CORPORATIONS

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- r **Minn.** Amdg. sundry § R.L.'05 ch.58 rel. to corporations generally. 10§ '07 ch.468, 25 Apr.
- s **Mon.** Amdg. C.C. §411 rel. to incorp. of domestic corp.: filing articles; term of existence. Rep. §406. 2§ '07 ch.163, 7 Mar.
- t **S. D.** Rel. to corporations: *1 director or officer* [ $\frac{1}{3}$  of officers] *and 1 subscriber* [ $\frac{1}{3}$  of subscribers] to be residents; *resident agent; preferred stock; executive committee; 1 or more offices* without state. Amds. C.C. §404, 410, 423, 435, 780, 786. 7§ '07 ch.104, 2 Mar.
- u **Tex.** Organization of corp. for apiary business. Adds R.C.S. '95 art.642 subdiv.65. 1§ '07 ch.9, 20 Feb.
- v **Tex.** Fine, penalty or forfeiture due state from corp. lien on property; action not to abate on dissolution; receiver in interest of state. 5§ '07 ch.87, 11 Apr.
- w **Tex.** Unincorporated joint stock company may sue and be sued in company name. 6§ '07 ch.128, 18 Apr.
- x **Tex.** Amdg. R.C.S. '95 art.642 subdiv.46: purposes for which corporations may be formed. Adds subdiv.65-71. 8§ '07 ch.150, 23 Apr.
- y **Tex.** Amdg. R.C.S.'95 art.642 subdiv.16: corp. may be formed for establishing office building or theater. 1§ '07 ch.151, 23 Apr.
- z **Tex.** Amdg. R.C.S.'95 art.650b: formation of corp. for operation of cotton presses authorized except in city of 10,000. 1§ '07 ch.152, 23 Apr.
- za **Tex.** Corporations: capital stock to be paid in; payment of remainder; increase or decrease of stock; dissolution; political contributions prohibited. 5§ '07 ch.166, 23 Apr.
- zb **Vt.** Amdg. S. §3704 rel. to incorp. of voluntary associations for telegraph and telephone business and dealing in real estate. 1§ '06 ch.116, 11 Dec.
- zc **Wis.** State Treasurer to remit, on request, interest on securities deposited with him by corp., or securities replaced. Adds S.'98 §157 subdiv.9m. 1§ '07 ch.482, 9 July

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### *Amendment and extension of charter. Reorganization*

- a **Cal.** Submitting amdt. to Const. 1879 art.12 §7: charter of *quasi-public* corp. not to be extended; *of others may be extended by written consent of 2/3 of stock.* 1§. Vote Nov. 1908 '07 p.1240, 27 Feb.
- b **Cal.** Amdg. C.C. §401 rel. to extension of existence of corporations: not to apply to those heretofore formed by special legis. act or to franchises granted by municipalities. 1§ '07 ch.274, 18 Mar.
- c **Cal.** Rep. C.C. §384 which provides that Legis. may repeal or alter charter of corp. 1§ '07 ch.274, 18 Mar.
- d **Ind.** Corporations, except common carrier and mun., may reduce or increase capital, extend term 50 years, and limit or enlarge objects for which created by  $\frac{2}{3}$  vote of stockholders; shares of objecting stockholders to be purchased; fees; but one extension permitted. 6§ '07 ch.192, 9 Mar.

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- e S. D. Amdg. '03 ch.105 §1 rel. to extension of corp. existence: application to be signed by 3/4 [ $\frac{3}{4}$ ] of stock. 1§ '07 ch.106, 3 Mar.
- f Tenn. Amdg. '97 ch.116 §1 rel. to amdt. of charter of corp. by stockholders or directors where no stockholders. 2§  
'07 ch.304, 11 Apr.

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*Domicile. Name. Residence of officers*

- a Ct. Amdg. '03 ch.194 §2 rel. to name of corp.: must be in English. 1§  
'07 ch.155, 26 June
- b Ky. Declaring unconst. S.'03 §571 requiring corp. to have place of business in state so far as it affects steamship company engaged in interstate traffic.  
Ryman Steamboat Line Co. v. Commonwealth 101 S. W. 403 (1907)
- c Nev. Amdg. '03 ch.88 §16: failure of corp. to display name and maintain office and agent to be prosecuted by Atty. Gen. or district atty. 1§  
'07 ch.117, 26 Mar.
- d N. J. Authorizing change of name of newspapers by certificate recorded in county clerk's office and filed with Sec. of State. Rep. '76 ch.104. 3§  
'07 ch.53, 12 Apr.
- e Or. Amdg. '05 ch.190 which allows officers and offices of certain corporations of state to be without state and provides for resident agent; includes railroads; during failure to maintain resident agent statute of limitations ceases to run in favor of such corp. 1§  
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- a Ct. Report of corp. may be signed by sec. in case of disability of president. 1§  
'07 ch.27, 4 Apr.
- b Ct. Prohibiting publication of exaggerated statement of value of property, shares etc. of business; penalty 10 years or \$10,000. 1§  
'07 ch.144, 21 June
- c Del. Amdg. '05 ch.15 §2 rel. to report of corp. to Sec. of State. 1§  
'06 (ex. sess.) ch.1, 29 June
- d Id. Prohibiting issuing of statement tending to give false value to shares and bonds; penalty \$10,000 or 10 years. 2§  
'07 p.25, 19 Feb.
- e Ia. Felony knowingly to publish false statement of pecuniary condition of corp. 1§  
'07 ch.72, 26 Mar.
- f Mich. Amdg. '03 ch.232 §12 rel. to manufacturing and mercantile corporations: time of making reports. 1§  
'07 ch.137, 12 June
- g Mon. Amdg. C.C. §451 rel. to reports of corp. 2§  
'07 ch.63, 2 Mar.
- ga Mon. Felony to issue false statement of property of business or corp. 2§  
'07 ch.131, 7 Mar.
- gb Nev. Felony to publish false statement of financial condition of corp. 1§  
'07 ch.60, 12 Mar.
- h N. M. Amdg. '05 ch.79 §48 subdiv. 1: corporations except those not for profit to file annual statement; penalty \$25 [\$200]; may be suspended by filing written statement, by 2 officers, of inactivity; revival. 2§  
'07 ch.41, 18 Mar.

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- i **N. C.** Amdg. Revisal '05 §1152: corporations to file annual statement before *Dec.* [Sept.] 1st; penalty for failure \$25 [\$100] to be recovered by *sheriff* [Atty Gen.]. 1§ '07 ch.944, 11 Mar.
- j **S. D.** Felony for officer of corp. to assent to publication of exaggerated statement of resources. 2§ '07 ch.108, 7 Mar.
- k **Tenn.** Corp. to file annual statement; fees. 1§ '07 ch.434, 13 Apr.
- n **Tex.** Permitting Atty. Gen. to examine books of corp. within or without state; penalty forfeiture of permit. 7§ '07 ch.21, 15 Mar.
- p **Vt.** Corporations to produce books before any court, grand jury or state comn.; penalty contempt or prohibition from exercising corporate functions. 5§ '06 ch.75, 9 Oct.
- q **Wash.** Declaring unconst. '03 ch.93 so far as it prohibits issuance of false financial statement by officer of corp. to persons dealing in stock of corp. Defective title.  
State *v.* Merchant 92 P.890 (1907)
- r **Wis.** Amdg. S.'98 §1770b, 1772, 1774a, 1786e, 1791j rel. to reports of corp. to be filed with Sec. of State. 5§ '07 ch.562, 10 July

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### Capital. Shares. Debts. Property

- a **Ari.** Corporations may forfeit and sell shares where subscription price remains unpaid; procedure. 3§ '07 ch.38, 17 Mar.
- b **Cal.** Amdg. C.C. §324 rel. to transfer of corp. stock: officer refusing to make entry or give certificate to forfeit \$400 to person aggrieved. 1§ '07 ch.470, 22 Mar.
- c **Ia.** Corporations, except loan associations, not to issue stock till par value paid in; if payment to be made in property other than money to be approved by Executive Council; penalty dissolution. 5§ '07 ch.71, 4 Apr.
- d **Mo.** Amdg. R.S.'99 §1320 rel. to manufacturing and business corporations: capital stock \$2,000 to \$50,000 [\$10,000]. 1§ '07 p.166, 30 Mar.
- e **N. H.** Amdg. P.S. ch.147 §6: maximum capital of voluntary corp. \$5,000,000 [\$1,000,000]. 1§ '07 ch.129, 5 Apr.
- f **Tex.** Insolvent corp. not to do business; stock and bonds issued except for money paid, labor done or property received to be canceled; proceedings by Atty. Gen. 6§ '07 ch.183, 30 Apr.
- g **Wis.** Amdg. S.'98 §1753, 1759a rel. to issuance of bonds and stocks by corp. Adds §1753 subdiv. 1-13. 16§ '07 ch.576, 13 July

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### Conveyance

- a **Mon.** Amdg. C.C. §472 rel. to transfer of shares of stock. Rep. §574. 3§ '07 ch.143, 7 Mar.
- b **N. J.** Amdg. '05 ch.152 §1, 3 rel. to sale of land given to religious and educational corporations. 2§ '07 ch.208, 15 May
- c **Tenn.** Domestic corp. may transfer franchise and property to person or corp. doing similar business; procedure. 4§ '07 ch.437, 12 Apr.

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*Debts. Bonds*

*See also 1279, Railways; 1349, Street railways*

- a **Cal.** Action against corp. to obtain duplicate of bond destroyed by fire or earthquake in state. Adds §329 to C.C. 1§  
'07 ch.93, 6 Mar.
- b **Me.** Corporations may issue bonds payable in instalments to extend not over 50 years. 3§  
'07 ch.71, 19 Mar.

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*Increase or reduction of capital*

- a **Cal.** Amdg. C.C. §359: corp. may issue 2 or more classes of stock; not to increase or reduce same except on assent of  $\frac{2}{3}$  of all stock. 1§  
'07 ch.280, 18 Mar.
- b **Ct.** Amdg. '03 ch.194 §47 rel. to increase of capital stock of specially chartered corp. 1§  
'07 ch.246, 1 Aug.
- c **Ga.** Amdg. C.'95 §1844: provision for increase of stock of certain kinds of corporations. 2§  
'07 p.55, 22 Aug.

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*Shares*

- a **Cal.** Amdg. C.C. §323: certificates of stock to show amount paid up and class to which it belongs and number of shares of each class authorized to be issued. 1§  
'07 ch.279, 18 Mar.
- b **Mich.** Amdg. '03 ch.232 §2 rel. to kind and value of property to be taken by manufacturing corp. in payment for capital stock. 1§  
'07 ch.146, 12 June
- c **U.** Declaring unconst. '03 ch.94 rel. to assmt. of shares of corp. Impairs obligation of contract.  
Garey v. St Joe Mining Co. 91 P.369 (1907)
- d **Wis.** Amdg. S.'98 §1786e rel. to purchase at par of shares in excess of limit held by member of mutual coöperative corp. 1§  
'07 ch.411, 25 June

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**Government**

- a **Id.** Amdg. R.S.'87 §2591: bylaw of corp. may be changed at any [annual] meeting. 1§  
'07 p.571, 16 Mar.
- b **Me.** Amdg. R.S.'03 ch.47 §47 rel. to bylaws of corp.: may determine by whom successor of director or other officer may be chosen. 1§  
'07 ch.154, 27 Mar.

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*Meetings. Elections*

- a **Cal.** Amdg. C.C. §312 rel. to corp. elections. Rep. §312 as amended '05 ch.416 §7. 2§  
'07 ch.319, 18 Mar.
- b **Me.** Amdg. R.S.'03 ch.47 §7 rel. to first meeting of corp.: president to be elected. 1§  
'07 ch.86, 20 Mar.
- c **Mo.** Rel. to manufacturing and business corporations: holder of stock as trustee not to vote for himself as director, officer or employee without written consent of actual owner. Adds R.S.'99 §1393a. 1§  
'07 p.167, 18 Mar.
- d **Mon.** Amdg. C.C. §448 rel. to place of meeting of stockholders of corp.: of corp. furnishing water only to stockholders may be held in director districts to elect directors. 1§  
'07 ch.151, 7 Mar.

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- e **N. C.** Amdg. Revisal '05 §1183: stockholders of all corporations to have right to cumulative vote where  $\frac{1}{4}$  of stock is controlled by one person. 2§ '07 ch.457, 4 Mar.
- f **Tenn.** Stockholder of any corp. may vote by proxy in writing. 1§ '07 ch.104, 8 Feb.
- g **Wash.** Meeting of stockholders of corp. to be held at principal place of business in state; of directors as designated in articles of incorp. or bylaws. 1§ '07 ch.107, 11 Mar.

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### *Officers*

- a **Mass.** Change of officer of domestic corp. to be filed with Comr. of Corporations in 30 days; penalties. 3§ '07 ch.282, 6 Apr.
- b **Mich.** Amdg. C.L.'97 §8553: where votes against reduction of directors of corp., if voted cumulatively, would elect less members of bd. after reduction, number of directors not to be reduced. 1§ '07 ch.141, 12 June
- c **Wy.** Amdg. R.S.'99 §3029, 3035-39, 3045-49: trustees of corp. to be known as directors; maximum number unlimited. 12§ '07 ch.70, 20 Feb.

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### LIABILITY

- a **Mon.** Resignation of officer if not in writing not to relieve from liability for corporate acts; duplicate to be filed with county clerk; publication. 2§ '07 ch.90, 5 Mar.
- b **N. J.** Rep. '03 ch.182 which limited liability of directors, officers, promoters or agents of corporations for accepting bonus. 1§ '07 ch.250, 17 June
- c **N. Y.** Amdg. C.C.P. §1781 rel. to actions against directors and officers of corp, for misconduct: may be maintained for neglect of duty; neglect to be issue of fact for jury. 1§ '07 ch.157, 12 Apr.

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## Dissolution. Insolvency

*See also 449, Insolvency; 1687, Banking; 1743, Insurance*

- a **Cal.** Minor amdt. to C.C.P. §1228, 1230, 1234 rel. to voluntary dissolution of corporations. 3§ '07 ch.254, 16 Mar.
- b **Cal.** Amdg. C.C.P. §1232: decree of dissolution of corp. to be filed with Sec. of State. 1§ '07 ch.401, 20 Mar.
- c **Col.** Defining conspiracy to bring about receivership of solvent corp.; penalty 5 years or \$5000. 1§ '07 ch.152, 9 Apr.
- d **Ct.** Dissolution of corp. without capital stock. 7§ '07 ch.165, 27 June
- e **Me.** Amdg. '05 ch.85 §4: court to appoint limit of time for presenting claims against insolvent corp.; [claims not so presented forever barred]. 1§ '07 ch.137, 26 Mar.
- f **Pa.** Amdg. '81 ch.33 §1 which enabled mining, manufacturing and trading companies to wind up affairs after expiration of charter: to apply on dissolution. 1§ '07 ch.165, 23 May
- g **S. D.** Amdg. C.C. §446 subdiv.3 ¶2 rel. to dissolution of corp.:  $\frac{2}{3}$  vote of stock or members necessary. 2§ '07 ch.105, 5 Mar.

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- h Tex.** Action of state against corp. for fine, penalty or forfeiture not to abate on dissolution; receiver in interest of state. 5§  
'07 ch.87, 11 Apr.
- i Tex.** Insolvent corp. not to do business; stock and bonds issued except for money paid, labor done or property received to be canceled; proceedings by Atty. Gen. 6§  
'07 ch.183, 30 Apr.

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### Foreign corporations

See also 1275, Railways; 1689, Banking; 1746, Insurance; 1766, Fire insurance

- a Ala.** Regulating foreign corp.: \$10 annual license fee; cancellation of certificate on its removal of case to federal court; restoration of rights on payment to state of equivalent of 1/10 of capital stock. 9§  
'07 p.290, 4 Mar.
- b Ala.** Providing for revocation of license of foreign corp. engaged in business of common carrier on its removal to federal court action instituted in state court for certain purposes. 3§  
'07 p.374, 6 Mar.
- c Ark.** Requiring foreign corp. to become domestic corp.; penalties. 10§  
'07 ch.185, 17 Apr.
- d Ark.** Permitting foreign corporations to do business; charter and designation of agent to be filed with Sec. of State; not to remove suit to federal court; fees; penalties. Rep. '07 ch.185. 4§  
'07 ch.313, 13 May
- e Cal.** Amdg. C.C. §405, 408 rel. to foreign corporations: to designate person in state on whom service to be made *at time of filing copy of articles of incorp.* [within 40 days]; *copy to be certified by Sec. of State of jurisdiction of incorp.* 2§  
'07 ch.283, 18 Mar.
- f Id.** Rep. '05 p.36 rel. to foreign corp. doing business in state. 1§  
'07 p.39, 21 Feb.
- g Ind.** Regulating admission of foreign corporations to do business in state: application to Sec. of State to contain stipulation not to remove to or bring action in federal courts against citizen of state; location and agent; annual report; limitation on real estate held; fees; penalties; certain corporations excepted. Rep. '01 ch.265 and Burns's Ann. S.'01 §3453. 13§  
'07 ch.176, 9 Mar.
- h Kan.** Private corporations: purposes, manner of creation, duration; foreign corporations; fees; powers. Amds. G.S.'01 §1259, 1261; rep. §1248-73, 1283, 1284, 1311 & '03 ch.150. 32§  
'07 ch.140, 11 Mar.
- i Mich.** Amdg. '01 ch.206 rel. to foreign corporations. 9§  
'07 ch.310, 28 June
- j Mon.** Amdg. '01 p.150 §1 rel. to admission of foreign corp.: to file amdt. of charter or increase of capital stock. Adds subdiv. 7. 2§  
'07 ch.181, 9 Mar.
- k Nev.** Foreign corp. to file copy of charter with Sec. of State; fees same as if organized in state; penalty. 4§  
'07 ch.89, 20 Mar.
- n Nev.** Foreign corp. to have benefit of statute of limitations only on complying with corp. laws. 1§  
'07 ch.165, 29 Mar.

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**p** **Vt.** Requiring license from foreign creamery company; fee \$5; penalty \$10 to \$100. 8§ '06 ch.138, 23 Oct.

**q** **Wis.** Amdg. S.'98 §1770b subdiv.8 rel. to service of process on foreign corp. 1§ '07 ch.275, 20 June

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### *Agents. Office*

**a** **Neb.** Foreign corporations, except railroad and insurance companies, to have agents in state upon whom process may be served. 6§ '07 ch.32, 5 Apr.

**b** **W. Va.** Amdg. '05 ch.39 which constituted State Auditor atty. in fact for foreign corp.: not retroactive; fees building and loan associations excepted; penalty. 7§ '07 (ex. sess.) ch.9, 6 Mar.

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### *Property rights*

**a** **Minn.** Amdg. R.L.'05 §3238: land acquired by aliens, alien and certain other corporations contrary to law, to be disposed of in 10 years. 1§ '07 ch.439, 25 Apr.

**b** **Mon.** Giving foreign corp. right of eminent domain. 1§ '07 ch.23, 20 Feb.

**c** **Pa.** Amdg. '81 ch.97 which authorized foreign corporations organized for certain purposes to hold and take real estate: chemical, cement and food stuff companies included. 2§ '07 ch.204, 28 May

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### *Reports*

**a** **Nev.** Amdg. '01 ch.108 §2: foreign corp. to file copy of published statement with assessor of county *where doing business*. 1§ '07 ch.19, 26 Feb.

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### *Restrictions*

**a** **Mo.** Amdg. R.S.'99 §1316 rel. to manufacturing and business corporations: foreign company with stock over limit may employ proportion within limit in state. 1§ '07 p.168, 22 Feb.

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## Corporations not for profit

Including religious, educational, social, scientific, benevolent etc.

*See also* 810, Exemptions from taxation; 1761, Fraternal societies; 1835, Agricultural societies; 2140, Charities; 2337, Education

**a** **Ala.** Amdg. C.'96 §1310, 1313 rel. to incorp. of social and literary societies: limitation of 300 on membership removed. 2§ '07 p.310, 12 Mar.

**b** **Col.** Certificate of incorp. of corp. not for profit may be amended by  $\frac{2}{3}$  of trustees. 3§ '07 ch.139, 3 Apr.

**c** **Col.** Amdg. Ann.S.'91 §477a, 478, 478a, 479: amdt. of charter of corporations not for profit. 4§ '07 ch.138, 8 Apr.

**d** **Id.** Incorp. fee of corp. not for profit \$5; 20c per folio for recording. 2§ '07 p.451, 13 Mar.

**e** **Ind.** Providing for the incorporation of Young Men's and Young Women's Christian Associations. 8§ '07 ch.13, 13 Feb.

**f** **Ind.** Providing for incorp. of educational institutions. 6§ '07 ch.141, 9 Mar.

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- g Me.** Amdg. R.S.'03 ch.57 §1 which provides for incorp. of benevolent and social organizations: masonic, consisting of members of different degrees, and those for promotion of good govt. included. 1§  
'07 ch.67, 15 Mar.
- h Mass.** Organizations for athletic exercises, libraries and social meetings not to relocate in another city or town without written consent of such place; penalty revocation of charter. 3§  
'07 ch.337, 24 Apr.
- i Minn.** Amdg. R.L.'05 §3102: organization of corp. to provide building for corp. not for profit authorized. 1§ '07 ch.94, 4 Apr.
- j Minn.** Amdg. R.L.'05 §3130 rel. to fraternal societies: certificate of incorp. of subordinate division to be recorded with county register of deeds; of grand body with Sec. of State. 1§ '07 ch.369, 23 Apr.
- k Neb.** Amdg. C.S.'05 §2146-49 rel. to incorp. of charitable associations. 5§ '07 ch.29, 20 Mar.
- n Neb.** Amdg. C.S.'05 §2163-64 rel. to incorp. of secret, fraternal, benevolent and charitable orders; copies of charters to be filed. 2§  
'07 ch.31, 5 Apr.
- p N. Y.** Amdg. membership corp. law '95 ch.559 §100: incorporators of bar association must be of same county or judicial district; *when of same county operations must be confined to such county.* 1§  
'07 ch.491, 11 June
- q N. Y.** Amdg. business corporations law '90 ch.567 §2 rel to kinds of corporations that may be organized thereunder: educational institutions incorporated by Regents of University not included. 1§  
'07 ch.646, 19 July
- r Pa.** Providing for division of corporate entity of charitable corporations having more than one place where its operations are carried on. 5§ '07 ch.111, 1 May
- s R. I.** Amdg. G.L. ch.176 §11 rel. to formation of misc. corporations. 2§ '07 ch.1459, 23 Apr.
- t Tenn.** Incorp. of interstate clubs. Supplements '75 ch.142. 2§  
'07 ch.300, 9 Apr.
- u Wash.** Providing for organization of corp. not for profit. 13§  
'07 ch.134, 12 Mar.
- v Wy.** Amdg. R.S.'99 §3232-33: educational and hospital corporations may declare dividends and pay officers. 2§ '07 ch.88, 20 Feb.

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*Society insignia, ritual and name*

- a Ark.** Msdr. to make unauthorized use of insignia of society of 10 years standing in state. 2§ '07 ch.448, 29 May
- b Col.** Msdr. to make unauthorized use of insignia of benevolent or secret society. 10§ '07 ch.150, 5 Apr.
- c Ct.** Registration of insignia of society with Sec. of State; penalty for unauthorized use when registered. 2§ '07 ch.113, 4 June
- d Id.** Msdr. to make unauthorized use of name, insignia, title of officer or ritual of society. 1§ '07 p.165, 5 Mar.
- e Mich.** Msdr. to make unauthorized use of emblems of Independent Order of Odd Fellows. 1§ '07 ch.195, 19 June



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- f **Mon.** Amdg. Pen.C. §1192: msdr. to make unauthorized use of insignia of G. A. R. or any society of 10 years standing in state or of certain specified organizations. 1§ '07 ch.18, 19 Feb.
- g **N. H.** Unlawful for unauthorized person to use insignia of military, patriotic or fraternal society; penalty. Rep. P.S. ch.273 §10. 2§ '07 ch.62, 20 Mar.
- h **N. J.** Msdr. to make unauthorized use of name or insignia of incorporated fraternal organization to advertise entertainments. 1§ '07 ch.27, 4 Apr.
- i **N. C.** Msdr. to make unauthorized use of name, insignia or ritual of Elks. 1§ '07 ch.968, 11 Mar.
- j **Or.** Amdg. Ann.C.& S. §2090: msdr. to wear insignia of any benevolent or fraternal organization [G. A. R.] without authority. 1§ '07 ch.176, 25 Feb.
- k **Pa.** Msdr. to make unauthorized use of name or insignia of secret fraternal organization; penalty. 3§ '07 ch.31, 28 Mar.
- n **R. I.** Amdg. G.L. ch.283 §22: prohibits unauthorized use of insignia of United Spanish-American War Veterans or Elks. 2§ '07 ch.1448, 19 Apr.
- p **S. D.** Prohibiting fraudulent use of name of secret society; penalty 3 years or \$1000. 1§ '07 ch.231, 1 Mar.
- q **Tenn.** Prohibiting unauthorized publication of secret or ritualistic work of fraternal or benevolent order; penalties. 5§ '07 ch.591, 15 Apr.
- r **U.** Amdg. '01 ch.45 rel. to unauthorized use of insignia etc. of certain societies: extended to certain others. 1§ '07 ch.35, 13 Mar.
- s **Vt.** Amdg. S. §4962: persons not entitled not to wear badge of any patriotic, secret or charitable society; penalty. 1§ '06 ch.185, 6 Dec.
- t **Wash.** Amdg. Ballinger's Ann.C.& S.'97 §7440 rel. to unlawful use of insignia of certain societies: Spanish-American War Veterans included; not to apply to wives, mothers, daughters or sisters of members. 1§ '07 ch.169, 15 Mar.
- u **Wis.** Amdg. S.'98 §4423a which prohibits unauthorized use of badges of certain societies: United Spanish War Veterans and Military Order of Foreign Wars included. 1§ '07 ch.8, 13 Mar.

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### Officers

- a **Cal.** Amdg. C.C. §593 rel. to corporations not for profit: number of directors 3 to 21 [11]. 1§ '07 ch.306, 18 Mar.
- b **Tex.** Amdg. R.C.S.'95 art.651 subdiv.8: corp. for religious, benevolent, educational or literary purposes may increase directors to 25 [13]. 1§ '07 ch.158, 23 Apr.

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### Property

- a **N. Y.** Amdg. membership corporations law '95 ch.559 §13. rel. to real property thereof: that located in state not to be leased or conveyed without leave of court. 1§ '07 ch.177, 19 Apr.
- b **N. C.** Permitting benevolent societies to take and convey property. 1§ '07 ch.22, 23 Jan.

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- c Or. Rep. Ann.C.& S. §5188 limiting property of religious, charitable and educational corporations to \$500,000. 1§ '07 ch.6, 5 Feb.
- d Wash. Amdg. '95 ch.158 §7, 12 rel. to social, charitable and educational corporations: property may be sold by trustees; real property only with consent of  $\frac{2}{3}$  of stock or members. 2§ '07 ch.75, 5 Mar.

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#### Religious corporations

- a Minn. Empowering certain religious corporations to sue and be sued and to receive and convey property. 1§ '07 ch.60, 25 Mar.
- b Mon. Amdg. C.C. §864 rel. to incorp. of *church or* religious society. 2§ '07 ch.105, 5 Mar.
- c Or. Authorizing formation of religious corporations. 5§ '07 ch.129, 23 Feb.
- d Wis. Incorp. of denominational body. Adds S.'98 §1998m. 1§ '07 ch.171, 6 June

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#### Officers

- a Mich. Amdg. '05 ch.141 §3: trustees of religious corp. may fill vacancy for unexpired term. 1§ '07 ch.78, 8 May

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#### Property

- a Ct. Amdg. G.S.'02 §3963: society connected with church of Christ may convey property to church by  $\frac{2}{3}$  [4/5] vote of members. 1§ '07 ch.42, 17 Apr.
- b N. J. Property of Roman Catholic church corp. may be conveyed and mortgaged without vote of congregation. 3§ '07 ch.159, 10 May
- c N. Y. Amdg. religious corporations law '95 ch.723 §92, 93 rel. to trusts and conveyance of property of Shakers and Friends. 2§ '07 ch.199, 22 Apr.
- d Pa. Amdg. '55 ch.347 §7 rel. to property of religious and charitable corporations: charter need not provide for control by laymen. 1§ '07 ch.108, 1 May
- e Vt. Amdg. S. §4266 rel. to collection of assmt. on pews for repair of church. 1§ '06 ch.134, 18 Dec.

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### Combinations and monopolies

*See also* 1272, Railways; 1342, Street railways; 1593, Discrimination; 1740, Insurance

- a Cal. Defining and prohibiting trusts; penalties; civil damages. 12§ '07 ch.530, 23 Mar.
- b Ill. Amdg. '91 p.206 §7a, antitrust law: requires notice to corporations before suit is brought for failure to file affidavits under the act. 1§ '07 p.216, 25 May
- c Ind. Prohibiting combinations in restraint of trade and commerce; penalties; duties of Atty. Gen. and public prosecutors; procedure; immunity for witnesses. 12§ '07 ch.243, 11 Mar.
- d Ia. Grain combinations prohibited. 3§ '07 ch.188, 20 Mar.

# MONOPOLIES

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- e **Ia.** Amdg. C. §5062 rel. to penalty for corp. entering combination: \$500 to \$5000 [1% to 20% of capital stock]. 1§ '07 ch.187, 5 Apr.
- f **Kan.** Directing Gov. to call interstate oil conference, to which govts. of Col., Neb., Ia., Mo., Ill., Ark., Tex., and Okl. be invited, to discuss uniform oil legislation. '07 ch.441, 25 Jan.
- g **Kan.** Contracts not to sell or deal in goods of any other person forbidden; penalty, 1st offense \$100; 2d offense, \$500 or 1 year. 1§ '07 ch.139, 28 Feb.
- h **Kan.** Production of books and papers and giving of testimony in actions against unlawful combinations; immunity. 6§ '07 ch.259, 9 Mar.
- i **Mass.** Prohibiting sale or lease of tool or machinery on condition of not supplying to others; exceptions; penalty. 2§ '07 ch.469, 1 June
- j **Minn.** Prohibiting discrimination between localities in sale of commodity; penalties. 8§ '07 ch.269, 20 Apr.
- k **Mo.** Amdg. R.S.'99 §8983 rel. to prosecution of trust: witness compelled to testify under immunity. 1§ '07 p.382, 19 Mar.
- n **Mo.** Amdg. R.S.'99 §8989 rel. to taking evidence against trust: witness compelled to testify under immunity. 1§ '07 p.383, 19 Mar.
- p **Mo.** Amdg. R.S.'99 §8978-82 rel. to affidavit by officers of corp. as to nonassociation with trust; prosecution for false affidavit. Adds §8982a-b. 7§ '07 p.375, 20 Mar.
- q **Neb.** Msdr. for bridge contractors to enter into agreement to pool prices; evidence; \$1000 or 6 months or both. 3§ '07 ch.156, 18 Mar.
- r **N. J.** Joint legis. committee of 6 to investigate coal and ice monopolies, and suggest remedial legislation. '07 p.731, 15 Apr.
- s **N. M.** Amdg. C.L.'97 §1294: parties to monopoly liable in civil damages to persons injured. 2§ '07 ch.18, 14 Mar.
- t **N. C.** Prohibiting trade agreements in restraint of competition and discrimination in prices between localities; penalties; procedure. 6§ '07 ch.218, 11 Mar.  
Supplemented; immunity of witnesses. 1§ '07 ch.219, 11 Mar.
- u **N. D.** Defining pools and trusts; prosecution; penalties. Rep. Pen.C. ch.53. 1§ '07 ch.259, 8 Mar.
- v **N. D.** Prohibiting unfair competition and discrimination in prices in different localities; penalties. 5§ '07 ch.258, 20 Mar.  
Same. '07 ch.260, 8 Mar.
- w **Pa.** Joint legis. committee of 5 to investigate increased price of food stuffs and unlawful combinations responsible therefor; report by Mar. 15, 1907. '07 p.804, 14 Feb.  
Time extended to Apr. 10. '07 p.808, 11 Mar.
- x **R. I.** Requesting Atty. Gen. to investigate increase in price of coal by dealers, and if found to have been done by concerted action to prosecute. '07 r.5, 29 Jan.
- y **Tenn.** Msdr. for manufacturer to sell article below cost or give it away, for purpose of destroying competition. 3§ '07 ch.36, 12 Feb.  
Not to apply to distribution to consumers of proprietary articles. 1§ '07 ch.360, 11 Apr.

589

- z Tex.** Procedure to take evidence against trusts within and without state; special comrs.; judgment by default against noncomplying defendant; immunity of witnesses. 8§ '07 ch.12, 4 Mar.
- za Tex.** Prohibiting discrimination between persons desiring to lease theater; schedule of bookings to be public; penalties. 4§ '07 ch.14, 5 Mar.
- zb Tex.** Amdg. '03 ch.94 §13 rel. to monopolies: penalty in addition to forfeitures etc. 2 [1] to 10 years. 1§ '07 ch.97, 15 Apr.
- zc Tex.** Amdg. '03 ch.94 §15 rel. to examination of person having knowledge of trust: immunity from prosecution. 1§ '07 ch.120, 16 Apr.
- zd Tex.** Rel. to trusts: penalty 2 to 10 years; venue of prosecution; Atty. Gen. to aid local prosecutor; latter to receive fee of \$250 for each conviction. Adds '03 ch.94 §18-21. 4§ '07 ch.173, 25 Apr.  
Amended. 5§ '07 (ex. sess.) ch.10, 16 May

590

## Administration of justice

591

### Practice of law

*See also 434, Attorney for minors; 675, Public prosecutor*

- a S. D.** Msdr. and forfeiture of office for county judge to allow partner to practice before him. 2§ '07 ch.130, 26 Feb.

592

### Admission to bar

- a Ari.** Regulating admission to the bar: attys. of other states on motion; Bd. of Examiners appointed by Supreme Court; 3 years study; written examination; oath. Rep.R.S.'01 §391-98. 9§ '07 ch.76, 21 Mar.
- b Cal.** Graduates of University of Southern Cal. College of Law to be admitted to practice without examination. Adds C.C.P. §285b. 1§ '07 ch.438, 21 Mar.
- c Col.** Amdg. G.S.'83 §69, 72, 77, 78 rel. to atty.'s oath. 4§ '07 ch.110, 7 Mar.
- d Fla.** Examination and procedure for admission to bar. 8§ '07 ch.55, 27 May
- e Ia.** Amdg. C. §310: applicants for admission to bar must have 4 [3] years high school education. 1§ '07 ch.11, 4 Apr.
- f Neb.** Amdg. C.S.'05 §678 rel. to admission to bar: graduates of law schools other than state university designated by Supreme Court to be admitted without examination. 2§ '07 ch.2, 8 Apr.
- g Nev.** Amdg. C.L.'00 §2613, 2618 rel. to admission to bar: persons eligible; exemption from examination. 2§ '07 ch.69, 14 Mar.
- h N. C.** Amdg. Revisal '05 §207 rel. to licensing attys.: must be of upright character. 1§ '07 ch.70, 30 Jan.
- i Or.** Fec for admission to bar \$10; for admission on certificate from other state \$20; for purchase of law books for State Library. 1§ '07 ch.241, 26 Feb.
- j R. I.** Prohibiting falsely assuming to be atty.; penalty. 1§ '07 ch.1450, 19 Apr.

## COURTS

592

- k S. D.** Amdg. P. C. §686 rel. to candidates for admission to bar; high school course of 4 [3] years required as preliminary education. 1§ '07 ch.72, 2 Mar.
- n Tenn.** Women may practise law. 1§ '07 ch.69, 15 Feb.
- p Wash.** Amdg. '95 ch.91 §5: graduate of law dept. of State University required to pay fee for admission to bar. 1§ '07 ch.186, 15 Mar.

594

### *Barratry*

- a Mass.** Prohibiting attys. from employing runners, to solicit claims for damages. 3§ '07 ch.443, 22 May
- b N. M.** Defining and prohibiting barratry; penalty. 2§ '07 ch.29, 16 Mar.
- c Or.** Unlawful for attys. to solicit business on account of personal injuries or to employ runners therefor; penalty disbarment. 2§ '07 ch.211, 25 Feb.

595

### *Compensation. Fees. Liens*

*See also 227, Counsel of poor prisoner*

- a Cal.** Declaring unconst. C.C.P. §1195 providing for allowance of atty.'s fees on successfully enforcing mechanics lien. Denies equal protection of law; special legislation.  
Builders' Supply Depot *v.* O'Connor 88 P.982 (1907)
- b N. Y.** Amdg. C.C.P. §74, 77 rel. to champertous agreements: corp. engaged in business of litigation included. 2§ '07 ch.700, 22 July
- c Wis.** Amdg. S.'98 §2591a rel. to atty.'s liens. Adds §2591m. 2§ '07 ch.314, 21 June

596

### *Disbarment*

- a Ct.** Superior Court to appoint grievance committee of 3 in each county to investigate and lay before court misconduct of member of bar. 4§ '07 ch.120, 13 June
- b Ct.** Evidence of gen. character, reputation and professional standing admissible in disbarment proceedings. 1§ '07 ch.192, 8 July
- c N. C.** Disbarment of attys.; grounds; proceedings to be instituted by North State Bar Association; procedure. 10§ '07 ch.941, 11 Mar.

600

## Courts

Names and general organizations of courts vary greatly in different states. Courts are here grouped according to actual jurisdiction. The precise names of the courts are preserved in entries. *See also 2359, Law libraries*

- a Cal.** Amdg. P.C. pt.2 t.1 rel. to political divisions of state: redefines judicial districts. 7§ '07 ch.334, 19 Mar.
- b Cal.** Amdg. C.C.P. §139: in absence of judge, clerk, or sheriff to adjourn court from day to day [for one week]. Rep. §140. 2§ '07 ch.357, 19 Mar.
- c Cal.** Amdg. C.C.P. §134-35: courts *other than* Supreme not to transact business on holidays; exceptions. 2§ '07 ch.358, 19 Mar.

600

- d **Id.** Submitting amdt. to Const. 1889 art.5 §2, 17, 20, 24; and rep. art.5 §11, 21: District Court for each county; Probate Court abolished; salaries of Supreme and District Court judges. 9§. Vote Nov. 1908.  
'07 p.592, 7 Mar.
- e **Minn.** Amdg. R.L.'05 §122 rel. to salaries of judges and court officers: judge of Supreme Court \$7000 [\$5000]; stenographer \$900 [\$800]; 2d assistant librarian \$1000; judge of District Court \$4200 [\$3000]. 2§  
'07 ch.175, 13 Apr.
- f **Or.** Referring to Legis. of 1909 amdt. to Const. 1857 art.7: abolishes County Court; amds. generally provisions as to Supreme and Circuit Courts. 15§  
'07 p.506, 19 Feb.
- g **S. D.** Amdg. Crim.P. §91 rel. to who are magistrates: county judge included. 1§  
'07 ch.186, 5 Mar.
- h **Vt.** Generally amdg. laws rel. to Supreme and County Courts. 36§  
'06 ch.63, 22 Nov.

602

### Court records

- a **Kan.** Restoration and substitution of judicial files and records destroyed. 8§  
'07 ch.229, 5 Mar.
- b **Me.** Amdg. R.S.'03 ch.80 §11: county comrs. may rearrange, index and docket files of County Courts and consolidate indexes. 1§  
'07 ch.164, 27 Mar.
- c **Minn.** Amdg. R.L.'05 §109: attys. to have access to court records at all reasonable times *when no certificate required*. 1§  
'07 ch.203, 15 Apr.
- d **Minn.** Clerk of District Court in county under 50,000 may index cases before 1885; compensation. 2§  
'07 ch.312, 23 Apr.
- e **Neb.** Testimony taken orally to be preserved and made part of record in District Court. 2§  
'07 ch.159, 6 Apr.

603

### Reports. Reporters

- a **Ari.** Amdg. R.S.'01 §4068, 4070 rel. to Supreme Court reporter; compensation; publication, editing and distribution of reports. 3§  
'07 ch.43, 18 Mar.
- b **Ark.** Amdg. S.'04 §3358: Sec. of State to furnish circuit judges and chancellors with Supreme Court reports. 2§  
'07 ch.212, 24 Apr.
- c **Ark.** Rep. S.'04 §1256 which prohibited Supreme Court reporter from practising law. 1§  
'07 ch.394, 23 May
- d **Fla.** Contract for printing Supreme Court reports to provide that no more than contract number be printed, that plates be destroyed, that justices approve work; reprint of certain volumes. 4§  
'07 ch.40, 22 May
- e **Ind.** Amdg. '91 ch.170 §5 rel. to printing reports of Supreme and Appellate Courts. 1§  
'07 ch.133, 8 Mar.
- f **Me.** Amdg. R.S.'03 ch.79 §67-68 rel. to Reporter of Decisions. 2§  
'07 ch.75, 20 Mar.
- g **Mich.** Amdg. C.L.'97 §230 rel. to State Reporter: salary \$2000 [\$1500]. 1§  
'07 ch.193, 19 June
- h **Neb.** Amdg. C.S.'05 §2701 rel. to distribution and sale of Supreme Court reports. 2§  
'07 ch.41, 15 Mar.

## COURTS

603

- i Nev. Supreme Court may appoint Official Reporter; salary \$1500. 2§ '07 ch.10, 13 Feb.
- j Nev. Fixing prices of Nev. reports, C. L. and session laws. 1§ '07 ch.37, 5 Mar.
- k Nev. Publication in newspapers of official advertising of state and decisions of Supreme Court. 3§ '07 ch.213, 29 Mar.
- n N. J. Amdg. '02 ch.250 §1-2 providing digest of court reports: *on American digest plan*; 7 [4] volumes at \$6 [\$7] per volume. 3§ '07 ch.67, 15 Apr.
- p N. C. Amdg. Revisal '05 §5361: limit on republication of Supreme Court reports removed. 1§ '07 ch.503, 2 Mar.
- q N. D. Amdg. R.C.'05 §466-67: county auditor to receive 4 [3] copies of Supreme Court reports; *to retain copy in office*. 2§ '07 ch.244, 13 Mar.
- r S. D. Amdg. P.C. §645 rel. to distribution of Supreme Court reports. 1§ '07 ch.235, 20 Feb.
- s Tex. Bd. of Public Printing to let contract for publishing court reports to lowest bidder not necessarily within state; duties of court clerks; cost to public not to exceed \$2 per volume. 3§ '07 ch.185, 1 May
- t Vt. Amdg. S. §5446: 900 [800] copies of Vt. reports to be published. 1§ '06 ch.215, 21 Nov.
- u Wis. Amdg. S.'98 §170, 346 rel. to Supreme Court reporter: salary \$4000 [\$3000]; assistant. 2§ '07 ch.379, 25 June
- v Wis. Amdg. S.'98 §357 rel. to distribution of Supreme Court reports. 1§ '07 ch.526, 9 July

605

### Supreme courts

- q N. D. Amdg. R.C.'05 §466-67: county auditor to receive 4 [3] Including only those highest in state, of whatever name, e. g. Court of Appeals but not Supreme Court of New York. In New York, New Jersey and elsewhere the Supreme Court is a district court and is classed below others. The Court o Appeals in New York, New Jersey, Kentucky and Maryland is the highest court, bu in Colorado, Kansas, Missouri and Texas it is subordinate to the Supreme Court
- a Cal. Office of clerk of Supreme Court to be open from 9 to 5, Saturday 9 to 12.30, except holidays. Adds §757a to P.C. 1§ '07 ch.481, 22 Mar.
- b Ct. Record of case before Supreme Court of Errors to be printed and delivered to attys. 2 weeks before term. 1§ '07 ch.95, 27 May
- c Me. Amdg. R.S.'03 ch.79 §43: meetings of Law Court composed of all justices to be held twice annually at *time and place appointed by chief justice* [annually at Augusta and Portland]. 1§ '07 ch.114, 26 Mar.
- d Mo. Submitting amdt. to Const. 1875 rel. to composition and procedure of Supreme Court. 8§. Vote Nov. 1908. '07 p.458
- e Neb. Submitting amdt. to Const. 1875 art.6 §2, 4, 5, 6, 13 rel. to Supreme Court: to consist of 7 [3] judges; judges to reside where court is held; time of election; chief justice to be elected as such, and preside during entire term [judge having shortest time to serve to act as chief justice. 5§ '07 ch.202, 8 Apr.

606

*Officers*

- a **Ala.** Servant for Supreme Court at \$40 per month. 2§  
'07 p.316, 5 Mar.
- b **Ala.** Justices of Supreme Court may appoint 2 secretaries;  
salary \$1650; terms concurrent with chief justice. 3§  
'07 p.405, 6 Mar.
- c **Ark.** Stenographer for Supreme Court. 2§ '07 ch.129, 29 Mar.
- d **Ark.** Amdg. S.'04 §7377; '05 ch.92 §2 rel. to salaries of deputy  
clerks and librarian of Supreme Court. 2§ '07 ch.414, 28 May
- e **Ill.** Amdg. R.S.74 ch.37 §11: bailiff to be appointed by Supreme  
Court; duties; salary. 1§ '07 p.263, 17 May
- f **Mo.** Amdg. R.S.'99 §1638: salary of marshal of Supreme Court  
\$2000 [\$4 per day]. 1§ '07 ch.198, 22 Mar.
- g **Mon.** Amdg. P.C. §875, 1716: salary of clerk of Supreme Court  
\$2500 [\$2000]; of Supt. of Public Instruction \$3000 [\$2500]. 2§  
'07 ch.116, 6 Mar.
- h **N. C.** Salary of marshal of Supreme Court \$1250 [\$1000];  
*janitor to act as assistant librarian.* Amds. Revisal '05 §2770. 2§  
'07 ch.732, 7 Mar.
- i **Or.** Gov., with consent of court, to appoint 2 comrs. of Su-  
preme Court to help relieve congestion of calendar; 2 years; salary  
same as judges. 2§ '07 ch.88, 21 Feb.
- j **S. D.** Clerk of Supreme Court to be appointed by judges;  
salary \$1800; fees to be paid to State Treasurer monthly. 7§  
'07 ch.84, 8 Mar.

*Reports. Reporters, see 603*

608

*Judge*

- a **Ala.** Amdg. C.'06 §3841 rel. to salary of justice of Supreme  
Court: \$5000 [\$3600]. 1§ '07 p.109, 18 Feb.
- b **Ark.** Amdg. S.'04 §7367: salary of judge of Supreme Court  
\$4000 [\$3000]. 1§ '07 ch.131, 29 Mar.
- c **Nev.** Salary of justice of Supreme Court \$6000. 3§  
'07 ch.13, 14 Feb.
- d **N. Y.** Referring to Legis. 1909 amdt. to Const. 1894 art.6 §7  
rel. to Court of Appeals: 2 additional associate judges *to be elected*  
[designated from Supreme Court by Gov.]; *salary of associate judge*  
\$15,000, of chief justice \$15,500. 2§ '07 p.2506, 13 June
- e **N. D.** \$500 for expenses of Supreme Court judge. 1§  
'07 ch.82, 19 Mar.
- f **N. D.** Submitting amdt. to Const. 1889 §89: Supreme Court to  
consist of 5 [3] judges. 1§. Vote Nov. 1908.  
'05 p.351, 6 Mar.; '07 p.458, 23 Mar.
- g **Vt.** Judges of Supreme Court to finish business of County and  
Chancery Courts to which they have been assigned, notwithstanding  
'06 ch.63. 1§ '06 ch.65, 22 Nov.
- h **Wash.** Salary of judge of Supreme Court \$6000; of Superior  
Court \$3000; latter may be increased to \$4000 by county of 1st class.  
2§ '07 ch.57, 4 Mar.



## Intermediate courts

For officers and judges *see* 657-94. *See also* 371(3, Juvenile courts; 373, Pardons; 430, Probate court; 855, Court of claims

- a **Ala.** Amdg. C.'96 §897, 911 rel. to formation of judicial circuits and time of holding Circuit Courts. 3§ '07 p.367, 6 Mar.
- b **Cal.** Amdg. C.C.P. §144: sitable quarters for Superior Court *must* be furnished by county. 1§ '07 ch.356, 19 Mar.
- c **Del.** Providing for speedy convening of Court of Oyer and Terminer. Adds R.C. ch.93 §4. 1§ '07 ch.237, 29 Mar.
- d **Del.** Terms of Superior Court and Court of Gen. Sessions. 2§ '07 ch.236, 9 Apr.
- e **Fla.** Submitting amdt. to Const. 1885 art.5 §35: Legis. may establish new judicial circuits. 1§. Vote Nov. 1908. '07 p.768, 3 June
- f **Id.** Amdg. '05 p.7 §1 rel. to powers of district judge in chambers. 1§ '07 p.317, 13 Mar.
- g **Mass.** Increasing associate justices of Superior Court from 22 to 24. 1§ '07 ch.286, 11 Apr.
- h **Minn.** County may issue \$2500 of certificates of indebtedness to instal heating plant in court house. 7§ '07 ch.126, 6 Apr.
- i **Mon.** Amdg. C.C.P. 39§ rel. to District Court terms. 1§ '07 ch.184, 9 Mar.
- j **Nev.** Remodeling judicial districts; election and salary of district judge. 5§ '07 ch.129, 27 Mar.
- k **N. Y.** Referring to Legis. 1909 amdt. to Const. 1894 art.6 §2: justices of Appellate Division of Supreme Court to designate special *and trial* terms in dept. 2§ '07 p.2505, 12 Mar.
- n **N. D.** Amdg. R.C.'05 §8289, 8292, 8295, 8304, 8311, 8316, 8318 rel. to practice in County Court. 7§ '07 ch.68, 19 Mar.
- p **N. D.** Amdg. R.C.'05 §468: 10 [8] judicial districts. 2§ '07 ch.159, 23 Mar.
- q **Or.** Amdg. Ann.C.& S. §2522 rel. to terms of various County Courts. Rep. §2523. 2§ '07 ch.122, 23 Feb.; ch.238, 26 Feb.
- s **Pa.** Referring to Legis. of 1909 amdt. to Const. 1874 art.5 §6, 8: consolidation of Courts of Common Pleas in Philadelphia and Alleghany counties; Legis. may establish separate court of criminal jurisdiction for Philadelphia county. 2§ '07 p.833
- t **R. I.** Changing time of sessions and motion days in Superior Court. Amds. Court and Practice Act '05 §38, 40-42. 9§ '07 ch.1441, 19 Apr.
- u **Tenn.** Amdg. '95 ch.76 rel. to Court of Chancery Appeals. 11§ '07 ch.82, 12 Feb.
- v **Tenn.** Amdg. C.'96 §6058 rel. to adjournment by clerk of Circuit Court on nonappearance of judge. 1§ '07 ch.592, 15 Apr.
- w **Wis.** Amdg. and harmonizing sundry sections of S.'98 rel. to County Courts. 36§ '07 ch.660, 16 July

## Inferior courts

- a **Minn.** Providing for terms of District Court in municipality of 6000, 50 miles from county seat. 7§ '07 ch.414, 25 Apr.

645

- b S. D. Amdg. P.C. §1007: 1 [2] justice of peace and constable to be elected in each town. 2§ '07 ch.143, 6 Mar.

647

**Coroner. Medical examiner**

- a Col. Coroner may appoint deputy. 2§ '07 ch.136, 21 Feb.  
 b Col. Amdg. Ann. S.'91 §874: coroner may have testimony taken down by stenographer. 2§ '07 ch.137, 3 Apr.  
 c Ia. Amdg. C. §520: coroner may appoint stenographer to take testimony. 1§ '07 ch.23, 12 Mar.  
 d Neb. Amdg. C.S.'05 §3483 rel. to fees of coroner and physician making post-mortem examination. 2§ '07 ch.23, 12 Mar.

649

*Medical examiner*

- a Neb. Coroner's physician to be appointed in counties of over 125,000; duties; fees. 2§ '07 ch.35, 2 Mar.  
 b N. H. Deputy medical referee may serve process for medical referee; fees. 1§ '07 ch.93, 28 Mar.  
 c N. H. Amdg. '03 ch.134 §2 rel. to number of medical referees for different counties. Rep. '05 ch.60 §1. 3§ '07 ch.97, 2 Apr.

651

*Inquests*

- a Cal. District atty. to have right to be present at coroner's inquest. Adds §1520 to Pen.C. 1§ '07 ch.348, 19 Mar.  
 b Ill. Amdg. R.S.'74 ch.31 §10 rel. to coroner's inquest: vacancies in jury; report of testimony. 2§ '07 p.213, 17 May

653

**Justices of the peace**

- a Ala. Msdr. for justice of peace to act as atty. in case where warrant issued by him. 2§ '07 p.580, 7 Aug.  
 aa Ala. Probate judge to furnish necessary blanks to justices of peace, notaries and constables. 2§ '07 p.784, 9 Aug.  
 ab Ark. Regulating peace officers in committing defendants and taking recognizance of witnesses. 4§ '07 ch.379, 23 May  
 b Cal. Amdg. '07 ch.277 §56: 4 [2] justices of peace in townships of 100,000 to 300,000. 1§ '07 ch.16, 19 Feb.  
 c Cal. Amdg. C.C.P. §103 rel. to number and salary of justices of the peace in cities and towns. 1§ '07 ch.158, 11 Mar.  
 d Cal. Rep. C.C.P. §115 rel. to criminal jurisdiction of Justice Courts. 1§ '07 ch.359, 19 Mar.  
 e Cal. Generally amdg. C.C.P. §832-906 rel. to civil actions in Justice Courts. 14§ '07 ch.478, 22 Mar.  
 f Col. Amdg. G.S.'83 §1957: costs against plaintiff if he fail to recover more than tender in action before justice of peace. 1§ '07 ch.197, 3 Apr.  
 g Col. Exchange of justices of peace. 2§ '07 ch.196, 9 Apr.  
 h Del. Amdg. R.C. ch.99 §2 rel. to action of debt before justice of peace: affidavit of corp. may be made by any officer. 1§ '07 ch.241, 25 Feb.

# COURTS

653

- i **Del.** Rel. to fees of justice of peace and constable. 2§  
'07 ch.248, 29 Mar.
- j **Ill.** Amdg. '72 p.420 §40; fees of police magistrates in counties of 3d class to be same as in those of 1st and 2d class. 2§  
'07 p.326, 24 May
- k **Ia.** Amdg. C. §4600 rel. to justice of peace: accounting for fees; compensation; reports to supervisors and county auditor. 4§  
'07 ch.169, 13 Apr.
- n **Kan.** Amdg. G.S.'01 §949 rel. to election of city officers: justices of the peace not to be elected in cities of 2d class. 2§ '07 ch.125, 7 Mar.
- p **Mass.** Amdg. Const. 1870 by adding art. of amdt.: Gov. with consent of Council may remove justices of peace and notaries public. Adopted Nov. 1907. '06 p.843, 3 Apr.; '07 r.123, 24 June
- q **Mich.** Amdg. C.L.'97 §711: justice of peace disqualified if within 3d degree of consanguinity to atty. or agent of party. 1§  
'07 ch.224, 27 June
- r **Minn.** Amdg. '05 ch.104 §1: jurisdiction of justice of peace not to extend to municipality under home rule charter having Justice Courts. 1§ '07 ch.234, 18 Apr.
- s **Minn.** Amdg. R.L.'05 §4025 rel. to certificate of conviction by justice of peace. 1§ '07 ch.317, 23 Apr.
- t **Minn.** Amdg. R.L.'05 §722 rel. to village justices of peace and constables where village in more than 1 county. 1§ '07 ch.459, 25 Apr.
- u **Mo.** Amdg. R.S.'99 §3806: term of justice of peace appointed by County Court to expire on next election day. 1§ '07 p.323, 7 Mar.
- v **Mo.** Amdg. R.S.'99 §3845: County Court to furnish justice of peace with dockets, *records and blanks*. 1§ '07 p.324, 19 Mar.
- w **Neb.** Justice of peace may enter judgment for costs when action is dismissed by plaintiff. 2§ '07 ch.161, 1 Apr.
- x **N. M.** Amdg. C.L.'97 §3342: justice of peace may hold court anywhere in city or town, when having jurisdiction of violations of ordinances, though out of regular precinct. 2§ '07 ch.11 6 Mar.
- y **N. C.** Amdg. Revisal '05 §1409: term of justice of peace 2 years *from 1st Monday in Dec. after election*. 1§ '07 ch.225, 18 Feb.
- z **N. C.** Amdg. Revisal '05 §2788 rel. to fees of justice of peace. 1§ '07 ch.967, 11 Mar.
- za **N. D.** Affidavit of amount due on account prima facie evidence in Justice Court. 2§ '07 ch.81, 19 Mar.
- zb **Okl.** Declaring unconst. '03 ch.25 art.3 §2 providing for 6 jurors for trial of crime in Justice and Probate Courts. Violative of U. S. Const. art.3 §2 and amdt.6. *Dettge v. Territory* 87 P. 897 (1906)
- zc **Or.** Amdg. Ann.C.& S. §561, 564: costs in Justice Court. 2§  
'07 ch.181, 25 Feb.
- zd **Pa.** Courts of Common Pleas may vacate office of alderman or justice of peace on failure to reside and maintain office in district; Gov. to fill vacancy. 3§ '07 ch.196, 25 May
- ze **R. I.** Rep. G.L. ch.25 §8 rel. to ineligibility of justice of peace and notary public failing to qualify. 1§ '07 ch.1444, 19 Apr.

653

- zf S. C. Amdg. C.C. §3117 rel. to fees of magistrates: 50c for each witness examined *not to exceed six*. 1§ '07 ch.231, 20 Feb.
- zg S. D. Amdg. Justice C. §3 rel. to criminal jurisdiction of Justice Court: offenses may be indictable. 1§ '07 ch.128, 27 Feb.
- zh Tex. Justices of peace and constables may collect fees in examining trials in msdr. cases. 2§ '07 ch.114, 16 Apr.
- zi U. Amdg. R.S.'98 §242: council may prescribe compensation of city justice of peace; fees to be paid into city treasury. 1§ '07 ch.48, 14 Mar.
- zj Vt. Suits against railroad in Justice Court may be tried in any town where railroad is located *or where plaintiff resides*. Amds. S. §1146 subdiv.I. 1§ '06 ch.68, 2 Nov.
- zk Vt. Gov. to appoint justices of the peace where town or city has failed to elect. 2§ '06 ch.67, 14 Dec.
- zn Vt. Amdg. S. §5048: justices of the peace to have concurrent jurisdiction with County Court where fine is \$50 [\$20] *or imprisonment 3 months*. 1§ '06 ch.188, 17 Dec
- zp Wash. Amdg. '93 ch.66 §1 rel. to fees of justice of peace. 1§ '07 ch.121, 11 Mar.
- zq Wis. Conferring on justice of peace powers of police justice of incorporated village in cases arising under ordinance of town. Adds S.'98 §845m. 1§ '07 ch.338, 22 June

655

#### Municipal and police courts

- a Cal. Bd. in municipalities having freeholders charter to appoint police judge where no provision made for election. 3§ '07 ch.36, 23 Feb.
- b Cal. Amdg. '83 ch.49 §806 rel. to Recorder's Court in cities of 5th class: abolished in cities having Justice Court; jurisdiction. 1§ '07 ch.223, 15 Mar.
- c Ill. Amdg. '01 p.136 §21, 23 rel. to city courts; additional judges. 2§ '07 p.222, 8 May
- d Ill. Amdg. '75 p.91 §1: police magistrates to be elected at regular city election. 1§ '07 p.198, 24 May
- e Ill. Generally amdg. '05 p.157 establishing Mun. Court in Chicago. 50§. Adopted 17 Sept. '07. '07 p.225, 3 June
- f Ind. Requiring police judges to pay over fines to city treasurer quarterly. 1§ '07 ch.138, 9 Mar.
- g Ia. Amdg. C. §255, '06 ch.10 §1: city of 4000 [5000] may establish Superior Court; may be voted on at gen. *or city* election. 2§ '07 ch.8, 14 Mar.
- h Mo. Appeal from mun. police court same as from justice of peace. 1§ '07 p.91, 19 Mar.
- i Mo. Establishing Court of Gen. Sessions with criminal jurisdiction in St Louis. 22§ '07 p.212, 15 Apr.
- j N. J. Recorder, in case of temporary absence or disability, may appoint atty. to act in his stead. 1§ '07 ch.223, 27 May
- k N. Y. Providing for night sessions of city magistrates in city of New York. Amds. Greater New York Charter §1391-92, 1396; adds §1397a. 7§ '07 ch.598, 17 July

## COURT OFFICERS

655

- n **N. Y.** Reorganizing Mun. Court of city of New York. Amds. Greater New York charter and Mun. Court act of city of New York. 15§ '07 ch.603, 18 July
- p **S. D.** Cities of over 5000 may establish Mun. Court; referendum; jurisdiction; composition. 37§ '07 ch.191, 11 Mar.
- q **Wis.** Bd. of supervisors may establish special Mun. Courts in county. Adds S.'98 §2523 subdiv.1-21. 21§ '07 ch.651, 15 July

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### Court officers

- a **Ala.** Probate judge to furnish necessary blanks to justices of peace, notaries and constables. 2§ '07 p.784, 9 Aug.
- b **Ct.** Messengers for Supreme and Superior Courts. 7§ '07 ch.110, 29 May

659

### Fees. Salaries

For fees and salary of a particular court officer *see* that head

- a **Ala.** Salary of marshal and librarian of Supreme Court \$2000. 1§ '07 p.277, 5 Mar.
- b **Del.** Amdg. R.C. ch.125 §7, 10 rel. to fees of sheriff and prothonotary. 2§ '07 ch.245, 29 Mar.
- c **Del.** Regulating fees of certain public officers. Amds. R.C. ch. 125 §12-15. 7§ '07 ch.246, 29 Mar.
- d **Vt.** City judges to receive salary in lieu of fees; schedule. 9§ '06 ch.208, 18 Dec.

661

### Bailiff

- a **S. C.** Sheriffs to appoint not to exceed 5 bailiffs in Circuit Courts; may be removed, increased or decreased by Circuit Judge. 3§ '07 ch.260, 25 Feb.
- b **S. D.** Bailiffs and jurors to receive \$2 per day in Circuit Court; judge may allow \$3. 2§ '07 ch.119, 26 Feb.

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### Constable

- a **Ari.** Unlawful for constable or other peace officer, while intoxicated, to carry firearms, or arrest without warrant except for offense committed in his view; penalty. 4§ '07 ch.16, 5 Mar.
- b **Ct.** Selectmen of town may appoint janitor of public building constable with authority to make arrests for crimes committed in or about building. 1§ '07 ch.25, 4 Apr.
- c **Del.** Rel. to fees of justice of peace and constable. 2§ '07 ch.248, 29 Mar.
- d **Id.** Justice of peace may appoint special constable where legally qualified constable incapacitated. 3§ '07 p.158, 2 Mar.
- e **Minn.** Allowing constable transportation and not to exceed \$1 per day for keep of prisoner. Adds R.L.'05 §2700 subdiv. 20. 1§ '07 ch.190, 15 Apr.
- f **Mo.** Amdg. R.S.'99 §3253 rel. to fees of constable. 1§ '07 p.275, 30 Mar.
- g **N. J.** Compensation of constables for attendance at certain courts in counties of 1st class, \$3.50 per day. 2§ '07 ch.238, 11 June
- h **N. C.** Giving town constable same authority to execute process as township constable. 1§ '07 ch.52, 29 Jan.

667

**Interpreter**

- a **N. J.** Providing court interpreter in German, Polish and Slavish in counties of 2d class. 1§ '07 ch.201, 15 May
- b **N. D.** Amdg. R.C.'05 §2625: compensation of interpreter in court not to exceed \$5 [2] per day. 1§ '07 ch.89, 7 Mar.

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**Judges**

*See also 710, Change of venue or judge*

- a **Ala.** Providing for payment of salaries of judges of all courts of record in counties of 20,000 and \$3,500,000 taxable property, out of state treasury. 3§ '07 p.169, 26 Feb.
- b **Ala.** Salaries of chancellors and supernumerary judge \$3200; of circuit judges \$3000. 3§ '07 p.245, 28 Feb.
- ba **Ala.** Salary of circuit judge payable on warrant of judges of Circuit Court where partly payable by county. 2§ '07 p.539, 2 Aug.
- c **Ark.** Making salary of all chancellors \$2500. 2§ '07 ch.119, 28 Mar.
- d **Cal.** Judges of Superior Court may have opinion or instructions to jury taken in shorthand and transcribed; county charge. Adds \$274a to C.C.P. 1§ '07 ch.22, 19 Feb.
- e **Cal.** Amdg. P.C. §737 rel. to salaries of superior judges in various counties. 1§ '07 ch.159, 11 Mar.
- f **Ct.** Salary of Chief Justice of Supreme Court of Errors \$8000; of associate justice and judge of Superior Court \$7500; of state referee \$3500; in lieu of fees. Rep. '03 ch.137, 163; '05 ch.213, 223. 2§ '07 ch.101, 5 June
- g **Fla.** Submitting amdt. to Const. 1885 art.5 §9: salaries of justices of Supreme Court [\$3000], circuit judges [\$2500] and *judges of criminal courts of record to be fixed* by Legis. 1§. Vote Nov. 1908. '07 p.767, 27 May
- h **Fla.** Amdg. '05 ch.24 §1: traveling expenses to be paid circuit judges holding sessions *or at chambers*; not to exceed \$750 [\$300] per year. 2§ '07 ch.48, 1 June
- i **Id.** Fixing compensation of certain executive officers and justices. 2§ '07 p.465, 14 Mar.
- j **Ill.** Amdg. '72 p.420 §3: salary of judges of Circuit and Superior Courts \$5000 [\$3500]. 1§ '07 p.331, 20 Mar.
- k **Ind.** Circuit and Superior judges to receive \$3500 salary payable from state treasury. 1§ '07 ch.115, 8 Mar.
- n **Ind.** Judges of Criminal Courts to receive \$4000 salary payable by county. 1§ '07 ch.116, 8 Mar.
- p **Ia.** Amdg. C. §281: police judges may practice in civil matters. 1§ '07 ch.9, 13 Apr.
- q **Kan.** Salary of Supreme Court justice \$4000 [\$3000]; of judge of District or Common Pleas Court, \$3000 [\$2500-\$3000]. 2§ '07 ch.203, 11 Jan.
- r **Kan.** Salary of District Court judge to be paid monthly. 2§ '07 ch.204, 21 Feb.

# COURT OFFICERS

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- s **Kan.** Submitting amdt. to Const. 1859 art.3 §13: justices of Supreme Court and judges of *all Courts of Record* [District Courts] not to hold any other office *except that of judge of federal court or of state court* during term for which elected. 2§. Vote Nov. 1908.  
'07 ch.432, 12 Mar.
- t **Mich.** Amdg. Const. 1850 art.6 §6 rel. to compensation of circuit judges in certain counties. Adopted Apr. 1907. '07 p.502
- u **Minn.** Salary of probate judge in county over 27,000, where now fixed at \$1200, to be \$1500. 1§ '07 ch.83, 3 Apr.
- v **Minn.** Amdg.R.L.'05 §94 rel. to designation by Gov. of judge to act in another judicial district. 1§ '07 ch.157, 12 Apr.
- w **Mon.** Payment of expenses of district judge sitting out of district. 3§ '07 ch.3, 1 Feb.
- x **Neb.** Amdg. C.S.'05 §3484 rel. to fees of county judges. 2§  
'07 ch.56, 5 Apr.
- y **Nev.** Amdg. C.L.'00 §2572 rel. to expenses of district judge: not to exceed \$1000 [\$450] per year. 1§ '07 ch.35, 5 Mar.
- z **N. J.** Amdg. '00 ch.140 §7, 8: on request judge of Court of Common Pleas may substitute for *or assist in disposing of accumulated business of* judge of another county. 2§ '07 ch.44, 12 Apr.
- za **N. J.** Amdg. '00 ch.140 §18 prohibiting judges of Court of Common Pleas practising in such court or courts of inferior jurisdiction *in own county or before a jury in any court of such county.* 1§  
'07 ch.85, 17 Apr.
- zb **N. C.** Amdg. Revisal '05 §2764-65: salaries of Supreme and Superior Court judges \$3250 [\$3000]. 1§ '07 ch.988, 11 Mar.
- zc **N. D.** Salary of district judge \$4000; \$500 for expenses. 3§  
'07 ch.77, 12 Mar.
- zd **Vt.** Superior judge may take recognizance and oath of sheriff; powers in pending causes not affected by '06 ch.63. 2§  
'06 ch.64, 12 Dec.
- ze **Wash.** Salary of judge of Supreme Court \$6000; of Superior Court \$3000; latter may be increased to \$4000 by county of 1st class. 2§  
'07 ch.57, 4 Mar.
- zf **Wis.** District atty., city atty. or judge not to be retained by common carrier or other public utility corp.; exceptions; penalty forfeiture of office. Adds S.'98 §4552m. 1§ '07 ch.542, 10 July

669

## Notary public

- a **Ct.** Amdg. G.S.'02 §69: application for appointment as notary public to be in *handwriting of applicant* [writing]. 1§  
'07 ch.99, 5 June
- b **Id.** Amdg. R.S.'87 §288 rel. to continuing authority of notary residing in newly created county. 2§ '07 p.55, 21 Feb.
- c **Id.** Amdg. C. §244 rel. to fees of notaries. 1§ '07 p.156, 2 Mar.
- d **Ia.** Amdg. C. §373-76 rel. to notaries public: term 3 years; approval of bond; registration of notarial commissions. 5§  
'07 ch.13, 13 Apr.

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- c **Mass.** Amdg. Const. 1870 by adding art. of amdt.: Gov. with consent of Council may remove justices of peace and notaries public. Adopted Nov. 1907. '06 p.843, 3 Apr.; '07 r.123, 24 June
- f **Minn.** Powers of notary public in territory detached and made into county, continued. 3§ '07 ch.323, 23 Apr.
- g **Minn.** Person authorized to take acknowledgments and administer oaths not to be barred from doing so by fact of being officer or stockholder of corp. interested. 1§ '07 ch.406, 25 Apr.
- h **Mon.** Amdg. P.C. §4632 rel. to fees to be charged by notary. 2§ '07 ch.44, 26 Feb.
- i **Nev.** Gov. to appoint notaries public; term 4 years; may act anywhere in state. 4§ '07 ch.22, 26 Feb.
- j **N. Y.** Requiring notaries public to file signatures and certificates of appointment with county registers. Adds executive law '92 ch.683 §83a. 1§ '07 ch.207, 25 Apr.  
Amended. Compulsory only as to notaries acknowledging instruments to be recorded with registers. 1§ '07 ch.559, 28 June
- k **U.** Amdg. R.S.'98 §1672: notary public to place date of expiration of commission on acknowledgment, *oath, or other instrument*, 1§ '07 ch.40, 14 Mar.
- n **Wash.** Amdg. Ballinger's Ann.C.& S.'97 §245 rel. to notaries public: women over 21 eligible. 1§ '07 ch.137, 12 Mar.
- p **Wis.** Amdg. S.'98 §174 rel. to bond of notary public if executed by surety company may be approved by Sec. of State. 1§ '07 ch.435, 27 June

671

**Clerk of court**

- a **Ala.** Fixing ex officio fees of clerk of Circuit Courts. 3§ '07 p.583, 9 Aug.
- aa **Ari.** Clerk of Probate Court in counties having assessed valuation of \$1,000,000 [\$8,000,000]. Amds. R.S.'01 §2620-24. 5§ '07 ch.28, 14 Mar.
- b **Ari.** Amdg. R.S.'01 §2595 rel. to fees of clerks of District Courts in criminal cases. 2§ '07 ch.57, 21 Mar.
- c **Cal.** Fees of clerks of District Courts of Appeal; half to gen. fund, half for court libraries. Adds §759-61 to P.C. 3§ '07 ch.529, 23 Mar.
- d **Col.** Amdg. Ann.S.'91 §1936m rel. to salaries of clerks of District Courts. 1§ '07 ch.216, 1 Apr.
- e **Col.** Amdg. Ann.S.'91 §3295: bond of clerk of District Court graded by class of county. 1§ '07 ch.119, 3 Apr.
- f **Ct.** Fixing salaries of clerks of Courts of Common Pleas and District Court of Waterbury in lieu of fees; latter to belong to state. 3§ '07 ch.139, 21 June
- g **Ill.** Amdg. '95 p.175 §1: fees of clerks of Circuit Court in counties of 2d class. 1§ '07 p.323, 13 May
- h **Ill.** Amdg. '72 p.420 §14 rel. to fees of Circuit Court clerks in counties of 1st & 2d class. 1§ '07 p.324, 25 May



## COURT OFFICERS

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- i Ind.** Assmt. and collection of fees by the clerk of the Supreme Court; to be paid into state treasury; quarterly report to State Auditor. Rep. '79 ch.51 §15. 6§ '07 ch.66, 26 Feb.
- j Ind.** Minimum salary of clerks of Circuit Court \$1200. 2§ '07 ch.269, 12 Mar.
- k Me.** Signature of recorder or clerk of Mun. and Police Court sufficient evidence of instrument having come from such court. 1§ '07 ch.51, 12 Mar.
- n Mass.** Allowing appointment of women as assistant clerks in certain County Courts. 1§ '07 ch.234, 20 Mar.
- p Minn.** Clerk of District Court in county of 26,000, where salary is \$800, to retain fees in lieu of salary. 1§ '07 ch.268, 20 Apr.
- q Mo.** Amdg. R.S.'99 §526: where clerk of Circuit Court party to action clerk of County Court to act temporarily. 1§ '07 p.191, 19 Mar.
- r N. Y.** Amdg. C.C.P. §280: salary of deputy clerk of Court of Claims \$3000 [\$2500]. 1§ '07 ch.589, 15 July
- s N. C.** Clerk of Superior Court not to receive fees for transcript of record; provisos. 2§ '07 ch.878, 11 Mar.
- t N. D.** Amdg. R.C.'05 §2580 rel. to salaries of clerk of District Courts. 1§ '07 ch.74, 14 Mar.
- u S. D.** Clerks of Circuit and County Courts to obtain certificate of election from county auditor; when filed with Sec. of State to be evidence of election. 1§ '07 ch.117, 20 Feb.
- v Tex.** Amdg. '97 (ex. sess.) ch.5 §11 rel. to compensation of certain officers in county: clerk of District Court. 1§ '07 ch.29, 20 Mar.

### Public prosecutor

675

*See also 50, Attorney general*

- a Ari.** District attys. in 2d, 3d, 4th class counties may employ deputies; salary not to exceed \$500. 2§ '07 ch.42, 18 Mar.
- b Ari.** Amdg. R.S.'01 §2613 rel. to salaries of district attys. 2§ '07 ch.45, 18 Mar.
- c Col.** District atty. entitled to expenses; to be borne by counties of his judicial district. 2§ '07 ch.172, 3 Apr.
- d Fla.** Declaring unconst. G.S.'06 §3266 rel. to prosecution for carrying concealed weapons. Does not provide for prosecutor's fee when defendant discharged or insolvent.  
State ex rel. Loftin v. McMillan 45 S. 882 (1908)
- e Ill.** Amdg. '72 p.420 §9a: state's atty. of Cook county to turn all fees into county treasury. 1§ '07 p.320, 17 May
- f Ill.** Salary of state's atty. of Cook county \$10,000, in lieu of fees. 3§ '07 p.323, 17 May
- g Ill.** Amdg. '72 p.420 §8 rel. to fees of state's attys. 1§ '07 p.329, 4 June
- h Ia.** Amdg. C. §308 rel. to compensation of county attys. 1§ '07 ch.10, 6 Apr.
- i Kan.** Amdg. G.S.'01 §1776 rel. to county atty.: bond \$2000 [\$1000]; must be practicing atty. 2§ '07 ch.163, 11 Mar.

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- j** **Mass.** Amdg. 1906 ch.494 §1: expenses of district attys. to be approved by county comrs. *or by justice of Superior Court.* 1§  
'07 ch.170, 6 Mar.
- k** **Minn.** Amdg. R.L.'05 §574 rel. to contingent fund of county atty. 1§  
'07 ch.339, 23 Apr.
- n** **Mo.** Salary of prosecuting atty. in county of 32,000 to 50,000 \$2500; assistant. 1§  
'07 p.274, 29 Mar.
- p** **Neb.** County atty., sheriff, police judge, mayor, police officer, police comr. or other officer who wilfully fails to enforce any law may be removed by quo warranto proceedings instituted by Atty. Gen. at direction of Gov. 2§  
'07 ch.87, 3 Apr.
- q** **Nev.** Amdg. C.L.'00 §2300 rel. to neglect of duty by district atty. 1§  
'07 ch.12, 13 Feb.
- r** **Nev.** Amdg. C.L.'00 §2296: district atty. to be resident and admitted to bar. 1§  
'07 ch.200, 29 Mar.
- s** **N. D.** Amdg. R.C.'05 §2578 rel. to salaries of state's attys. 1§  
'07 ch.75, 13 Mar.
- t** **N. D.** County to provide contingent fund for state's atty. 7§  
'07 ch.76, 13 Mar.
- u** **Tex.** District atty. to receive \$15 per diem, not exceeding 133 days, in addition to \$500 salary; certain fees to be paid to state; exceptions. Adds Crim.P.'95 art.1081a. 1§  
'07 ch.175, 29 Apr.
- v** **Tex.** Amdg. Crim.P.'95 art.1092 rel. to fees of county and district attys. 1§  
'07 (ex. sess.) ch.14, 16 May
- w** **Vt.** Amdg. S. §2954: Gov. [judges of County Court] to fill vacancy in office of state's atty. 1§  
'06 ch.90, 17 Dec.
- x** **Vt.** Allowing state's attys. salaries and expenses in lieu of fees; schedule. Amds. S. §5401-2 and rep. §3217. 5§  
'06 ch.212, 19 Dec.
- y** **Wis.** Gov. to suspend district atty. during prosecution of charges against him; to appoint atty. to exercise duties during suspension. Adds S.'98 §750a. 1§  
'07 ch.153, 31 May
- z** **Wis.** District atty., city atty. or judge not to be retained by common carrier or other public utility corp. exceptions; penalty forfeiture of office. Adds S.'98 §4552m. 1§  
'07 ch.542, 10 July
- za** **Wis.** Amdg. S. '98 §750 rel. to compensation of special district atty. 1§  
'07 ch.615, 12 July

688

**Referee. Master**

- a** **Cal.** Amdg. C.C.P. §641: referee may be objected to because of consanguinity to officer of corp. party to suit. 1§  
'07 ch.378, 20 Mar.
- b** **Wis.** Amdg. S.'98 §2930 rel. to compensation of referee. 1§  
'07 ch.360, 24 June

691

**Sheriff**

- a** **Ala.** Amdg. C.'96 §1377 rel. to sheriff's ex officio fees. 2§  
'07 p.585, 9 Aug.
- aa** **Ari.** Mileage of sheriffs and other peace officers 30c one way 2§  
'07 ch.90, 21 Mar.
- b** **Col.** Amdg. Ann.S.'91 §1898 rel. to sheriff's fees. 1§  
'07 ch.177, 1 Apr.

## COURT OFFICERS

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- c **Col.** Amdg. Ann.S.'91 §1936r rel. to salary of sheriff and deputies. 1§ '07 ch.178, 1 Apr.
- d **Ct.** Fixing salaries of sheriffs; in lieu of all fees except for service of civil process. 4§ '07 ch.111, 29 May
- e **Me.** Fee of deputy sheriff attending Supreme Judicial Court or any court where jury trial held \$3 per diem. 1§ '07 ch.138, 26 Mar.
- f **Minn.** Providing salary for sheriffs in lieu of fees in counties of 5000 to 35,000 and under 2500 square miles; classification for amount; exceptions. 8§ '07 ch.245, 19 Apr.
- g **Neb.** Salary of sheriff; appointment and salaries of deputies. 2§ '07 ch.54, 5 Apr.
- h **N. H.** Amdg. P.S. ch.287 §16 rel. to sheriff's fees. 2§ '07 ch.63, 20 Mar.
- i **N. M.** Amdg. C.L.'97 §1799 rel. to sheriff's fees. 2§ '07 ch.19, 16 Mar.
- j **Pa.** In counties of less than 50,000 sheriff to receive not to exceed 50c per day per prisoner in jail. 2§ '07 ch.180, 25 May
- k **Pa.** Sheriff's watchman of goods levied on to receive \$2 per day of 12 hours. 2§ '07 ch.189, 25 May
- n **Vt.** Amdg. S. §5366 subdiv. 12: no fees allowed sheriff who does not in person deliver prisoner at institution. 1§ '06 ch.210, 19 Dec.
- p **Vt.** Amdg. S. §5366 subdiv. 8: sheriff and deputies to receive \$3 [\$2] a day for attendance at Supreme, County and Chancery Courts. 1§ '06 ch.211, 19 Dec.

693

### Special commissioner. Receiver

- a **W. Va.** Amdg. '01 ch.37 §1 rel. to comrs. in chancery: in county of 30,000 to 50,000, 6 [8]; over 50,000, 8. 1§ '07 ch.42, 22 Feb.

694

### Stenographer

- a **Cal.** Amdg. P.C. §758: District Courts of Appeal may employ phonographic reporter able to take 150 words per minute; to act as sec. to judges; salary \$2400. Adds §759. 2§ '07 ch.414, 21 Mar.
- b **Del.** Amdg. '05 ch.76 §2 rel. to Chancellor's stenographer: salary \$1200 [\$600]. 1§ '07 ch.119, 4 Mar.
- c **Id.** Rel. to District Court stenographers: compensation; appointment of deputy. Amds. '91 p.233 §2, 5. 4§ '07 p.542, 16 Mar.
- d **Me.** At hearing in vacation in Supreme Judicial Court special stenographer may be appointed; compensation. 1§ '07 ch.24, 22 Feb.
- e **Minn.** Rel. to apportionment of salaries of court reporters among counties forming new judicial district. 1§ '07 ch.242, 19 Apr.
- f **Mo.** Rel. to official stenographer in county under 45,000: appointed by Circuit Court; bond \$1000. Adds R.S.'99 §10129a. 1§ '07 p.439, 15 Mar.
- g **Mo.** Amdg. R.S.'99 §10134 rel. to stenographer of criminal court in county of 100,000: defendant to be furnished with transcript of evidence free if unable to pay. 1§ '07 p.440, 19 Mar.  
Same amdt. '07 p.441, 6 Mar.

694

- h Neb.** Amdg. C.S. §2741 rel. to fees to court stenographer for transcripts furnished the state or indigent defendants. 2§ '07 ch.43, 6 Mar.
- i Nev.** Magistrate may employ stenographer in criminal proceeding. 4§ '07 ch.32, 4 Mar.
- j Nev.** Stenographers for District Courts. 7§ '07 ch.52, 12 Mar.
- k N. Y.** Amdg. '85 ch.348 rel. to stenographers for grand jurors: to be appointed by *district atty.* [county judge]. 6§ '07 ch.587, 15 July
- n N. D.** Amdg. R.C.'05 §444: limit of \$700 per day for stenographers for Supreme Court removed. 1§ '07 ch.80, 12 Mar.
- p Pa.** Rel. to court stenographers; appointment; transcript admissible in evidence; compensation. Rep. '87 ch.199. 10§ '07 ch.109, 1 May
- q R. I.** Amdg. Court and Practice Act '05 §70: Superior Court on request of Atty. Gen. to designate stenographer to take testimony before grand jury. 1§ '07 ch.1420, 1 Feb.
- r Tex.** Official stenographers in District Courts; filing of evidence; compensation; special stenographers in County Courts. Rep. '03 ch.60; '05 ch.112. 16§ '07 (ex. sess.) ch.24, 25 May
- s Wis.** Amdg. S.'98 §2437-39 rel. to stenographers of Circuit Court. 3§ '07 ch.485, 9 July

695

## Civil procedure

Including such provisions as apply both to civil and criminal cases

See also 429, Probate procedure; 489, Divorce

- a Ari.** Rev. and correcting procedure in District and Supreme Courts. Amds. generally R.S.'01 §1350-1595. 27§ '07 ch.74, 21 Mar.
- b Cal.** Amdg. C.C.P. §992-93 rel. to proceedings against joint judgment debtors. 2§ '07 ch.325, 19 Mar.
- c Ct.** Judges of Superior Court to compile laws and rules rel. to civil process and procedure; Sec. of State to publish not to exceed 7500 copies. 3§ '07 special acts ch.256, 29 May
- d Fla.** Rep. G.S.'06 §1421 which required pleadings, papers and proceedings to be filed in duplicate. 1§ '07 ch.41, 21 May
- e Ill.** "An act in relation to practice and procedure in courts of record." Rep. sundry acts. 127§ '07 p.443, 3 June
- f Nev.** Amdg. C.L.'00 §3162, 3220, 3247: amdt. of demurrer; security on issuance of writ of attachment; entering judgment by default. 3§ '07 ch.188, 29 Mar.
- g N. M.** Enlarging scope of C.C.P. Adds subdiv. 182-308 to C.L. '97 §2685 and amds. subdiv. 62. 4§ '07 ch.107, 21 Mar.
- h Vt.** Creating comn. to establish uniform system of probate and county court forms and records; 3 probate judges and 3 county clerks appointed by Gov.; report. 3§ '06 ch.224, 17 Dec.

697

## Legal notices

- a Cal.** Amdg. C.C.P. §1010-11, 1013, 1015 rel. to service of legal papers. 4§ '07 ch.327, 19 Mar.

## CIVIL PROCEDURE

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- b **Col.** Defining daily newspaper for purpose of entitling to publish legal notice. 1§ '07 ch.199, 9 Apr.
- c **Fla.** Amdg. G.S.'06 §1727: legal notice to be published in newspaper *printed wholly or partly* in county. 2§ '07 ch.15, 2 May
- d **Ia.** Amdg. C. §3529 rel. to service of original notice on merged railway corporations. 1§ '07 ch.163, 20 Mar.
- e **Ia.** Amdg. C. §3540: original notice against unknown defendant to be published 4 [6] weeks. 1§ '07 ch.164, 13 Apr.
- f **N. J.** Defining newspaper qualified to publish legal and official notices. 2§ '07 ch.26, 4 Apr.

699

### Commencement of action

- a **Del.** Amdg. R.C. ch.86 §8 rel. to return day of summons issued by Chancellor. 1§ '07 ch.238, 5 Mar.

701

### Limitations

*See also* special subjects as Mechanics lien, Personal injury, etc.

- a **Cal.** Amdg. C.C.P. §337, 339 rel. to actions required to be commenced in 4 and 2 years. 2§ '07 ch.323, 19 Mar.
- b **Nev.** Foreign corp. to have benefit of statute of limitations only on complying with corp. laws. 1§ '07 ch.165, 29 Mar.
- c **S. D.** Amdg. C.C.P. §108 and adding §109-205 rel. to commencing civil actions. Cures certain defects and omissions. 120§ '07 ch.116, 26 Feb.

702

### Parties

- a **Cal.** Amdg. C.C.P. §387-89 rel. to parties to action. 3§ '07 ch.371, 20 Mar.
- b **Mo.** Amdg. R.S.'99 §3748: action *or other proceeding* may be maintained in name of assignee. 1§ '07 p.320, 7 Mar.
- c **Nev.** Substitution of defendants in action on contract or in replevin; interpleader. 1§ '07 ch.168, 29 Mar.
- d **N. M.** Providing that smaller number may maintain action for all parties in interest. 6§ '07 ch.76, 21 Mar.

703

### Place of action. Jurisdiction

*See also* 605-53, Special courts

- a **Cal.** Amdg. C.C.P. §392, 394-97 rel. to place of trial in civil actions. 5§ '07 ch.369, 19 Mar.
- b **Ia.** Action against mun. corp. in county where District Court held in more than 1 place to be brought at place nearest where cause of action arose. 1§ '07 ch.162, 15 Mar.
- c **N. C.** Amdg. Revisal '05 §423 ¶1: nonresident may bring action in county where engaged in business. 1§ '07 ch.460, 8 Mar.
- d **U.** Msdr. to bring action knowingly before justice of peace in wrong precinct or city. 2§ '07 ch.83, 14 Mar.
- e **Wis.** Amdg. S.'98 §2619 subdiv. 4 rel. to place of action against interurban railroad. 1§ '07 ch.282, 20 June

705

Summons. Process

- a **Cal.** Rep. C.C.P. §749 rel. to service of summons by publication in real property actions. 1§ '07 ch.364, 19 Mar.
- b **Col.** Amdg. '05 ch.83 §3 rel. to service of summons by publication on domestic corp. 2§ '07 ch.128, 15 Apr.
- c **Id.** Amdg. R.S.'87 §4144-45 rel. to service of summons where person or representative of corp. is absent from state. 2§ '07 p.319, 13 Mar.
- d **Id.** Amdg. R.S.'87 §4140 rel. to contents of summons. 2§ '07 p.537, 16 Mar.
- e **Ind.** Providing for service by publication, or personal service on officer without state, where domestic corp. has no officer in state. Rep. '58 ch.19 §1. 2§ '07 ch.71, 26 Feb.
- f **Kan.** Service of process on corporations in criminal cases; judgment by default on disregard of summons. 5§ '07 ch.262, 28 Feb.
- g **Kan.** Service by publication on nonresidents, unknown heirs, etc. Rep. G.S.'01 §4512; '03 ch.385; '03 ch.386 §1; '05 ch.326. 5§ '07 ch.257, 9 Mar.
- h **Mass.** Service on foreign corp. may be made as on domestic in place of on comr. of corporations. 1§ '07 ch.332, 24 Apr.
- i **Mon.** Amdg. C.C.P. §637 rel. to publication of summons: applies in proceedings where personal service unnecessary. 2§ '07 ch.36, 25 Feb.
- j **Mon.** Contempt of court for person serving process to fail to make return in prescribed time. 1§ '07 ch.38, 26 Feb.
- k **Nev.** Amdg. C.L.'00 §3611-13 rel. to summons in civil action: contents; time of return; service. 3§ '07 ch.16, 15 Feb.
- n **Nev.** Amdg. C.L.'00 §3702: plaintiff entitled to have summons lost or destroyed replaced. 1§ '07 ch.169, 29 Mar.
- p **N. J.** In chancery proceedings against corp. service may be made on president, vice president, director or designated agent. 1§ '07 ch.42, 11 Apr.
- q **N. C.** Amdg. Revisal '05 §1448 rel. to service of summons in Justice Court on process agent of foreign corp.: not to apply when officer or other agent in county. 1§ '07 ch.473, 11 Mar.
- r **S. D.** In lieu of service by publication personal service without state may be made. Amds. C.C.P. §112. 1§ '07 ch.127, 4 Mar.
- s **S. D.** Amdg. C.C.P. §111: summons may be served by sheriff or person, not party to action, *elector of county where service made*. 1§ '07 ch.122, 7 Mar.
- t **U.** Amdg. R.S.'98 §2939: form of summons in civil action. 1§ '07 ch.14, 1 Mar.
- u **U.** Amdg. R.S.'98 §2942 rel. to service of summons. 1§ '07 ch.25, 11 Mar.
- v **U.** Amdg. R.S.'98 §3337, 4651-53: service of legal process by telegraph or telephone. 4§ '07 ch.26, 11 Mar.
- w **U.** Summons out of Justice Court to be served in 90 days. 1§ '07 ch.50, 14 Mar.

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- x U. Amdg. R.S.'98 §3683 rel. to service of summons out of Justice Court 1§ '07 ch.50, 14 Mar.
- y W. Va. Amdg. C. ch.54 §24 rel. to atty. to accept service for domestic corp. 1§ '07 (ex. sess.) ch.10, 5 Mar.
- z Wis. Amdg. S.'98 §3594 rel. to return of summons issued in blank by justice of peace. 1§ '07 ch.116, 20 May

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### Trial. Pleadings

- a Ind. Amdg. '03 ch.193 §1 rel. to instructions to jury. 1§ '07 ch.283, 12 Mar.
- b N. Y. Amdg. C.C.P. §3307 subdiv. 4: in counties where sheriff is salaried, cause to be put on calendar without payment of fee. 2§ '07 ch.253, 30 Apr.
- c N. Y. Court may order issue tried separately prior to other issues. Adds C.C.P. §973. 1§ '07 ch.526, 17 June

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### Change of venue or judge

*See also 668, Judges*

- a Fla. Amdg. G.S.'06 §1337 rel. to disqualification of judge. 2§ '07 ch.45, 3 June
- b Id. Amdg. R.S.'87 §4126: where judge of District Court disqualified, Gov. on application of attys, may designate judge of another district. 2§ '07 p.578, 18 Mar.
- c Ind. On reversal and granting new trial in Appellate Court either party entitled to change of venue from original trial judge. 1§ '07 ch.59, 26 Feb.
- d Ind. Amdg. '05 ch.96 §1 rel. to appointing special judge in Circuit and Superior Courts where presiding judge is objected to or disqualified. 1§ '07 ch.81, 28 Feb.
- e Kan. Plaintiff and defendant in civil action before justice of peace may each have 1 change of venue only. 1§ '07 ch.258, 9 Mar.
- f Mich. Amdg. C.L.'97 §309 rel. to change of venue in Circuit Court. 1§ '07 ch.161, 17 June
- g Mich. Amdg. C.L.'97 §711: justice of peace disqualified if within 3d degree of consanguinity to atty. or agent of party. 1§ '07 ch.224, 27 June
- h Mo. Amdg. R.S.'99 §3396 rel. to change of venue in case of forcible entry and detainer. 1§ '07 p.276, 22 Mar.
- i Neb. Amdg. C.S.'05 §2729 rel. to disqualification of judges from acting in certain cases. 2§ '07 ch.42, 5 Apr.
- j Nev. Amdg. C.L.'00 §2545: judge not to act if related within 4th degree to either atty. 1§ '07 ch.11, 13 Feb.
- k N. H. Superior Court may change venue in civil proceedings. 2§ '07 ch.135, 5 Apr.
- n N. D. Change of venue in garnishment proceedings. 1§ '07 ch.83, 13 Mar.
- p N. D. Amdg. R.C. §9929 rel. to change of venue in District Court. 1§ '07 ch.84, 13 Mar.

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- q Pa.** Court of Common Pleas may grant change of venue where case can not be reached in 6 months. 3§ '07 ch.269, 1 June
- r Tex.** Plea of privilege to venue. Adds R.C.S.'95 art.1194a-c. 3§ '07 ch.133, 18 Apr.
- s U.** Amdg. R.S.'98 §3669: msdr. for justice of peace to fail to grant change of venue in accordance with statute. 1§ '07 ch.70, 14 Mar.
- t Wy.** Where change of venue in civil action is had for prejudice or convenience of witnesses, county from which removed to reimburse that to which taken for expenses of jury. 1§ '07 ch.29, 14 Feb.

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## Equity causes

- a Pa.** Where demurrer to bill in equity on ground suit should have been brought at law, is overruled, plaintiff is estopped thereafter to set aside verdict on that ground; on appeal defendant must raise question by specific assignment of error. 3§ '07 ch.299, 7 June
- b R. I.** Amdg. Court and Practice Act '05 §313: decree to be entered on nonappearance in equity cause on *ex parte* motion. 1§ '07 ch.1459, 23 Apr.

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## Pleadings. Motions

- a Cal.** Amdg. C.C.P. §1005: 5 days notice of motion where both *attys.* [parties] in county. 1§ '07 ch.326, 19 Mar.
- b Cal.** Amdg. C.C.P. §422, 427, 430-31, 439, 442-44, 446, 459 rel. to pleadings in civil actions. 10§ '07 ch.372, 20 Mar.
- c Fla.** Permitting plea to jurisdiction or in abatement to be pleaded with plea in bar or to merits, and joint or separate trial of same. 1§ '07 ch.42, 27 May
- d Mo.** Amdg. R.S.'99 §604: answer may unite gen. and specific denial. 1§ '07 p.122, 8 Mar.
- e U.** Amdg. R.S.'98 §2980: reply to counter claim to be served in 10 days. 1§ '07 ch.39, 14 Mar.
- f U.** Complaint in action in Justice Court must be in writing and verified. Amds. R.S.'98 §3685. 2§ '07 ch.105, 14 Mar.
- g Wash.** Amdg. Ballinger's Ann.C.& S.'97 §4942 rel. to causes of action that may be joined: arising from same transaction. 1§ '07 ch.92, 9 Mar.

713

## Preference

- a Pa.** Providing for advancement to head of trial list where new trial is granted or nonsuit taken off. 2§ '07 ch.257, 31 May

715

## Obscene and criminal trials

- a N. C.** Court may exclude from room all persons except those connected with trial during testimony of prosecutrix during trial for rape. 1§ '07 ch.21, 23 Jan.

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## Evidence. Witnesses

*See also* 246, Perjury

- a Cal.** Amdg. C.C.P. §2043, 2054: party to action and 1 officer of corp. not to be excluded from court during examination of witness; witness not to be questioned concerning writing till shown to him. 2§ '07 ch.394, 20 Mar.



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- b **Fla.** Amdg. G.S.'06 §1567: comrs. appointed by courts of U. S., other state *or foreign govt.* to take testimony to have same powers as if appointed in state. 2§ '07 ch.20, 22 May
- c **Me.** Amdg. R.S.'03 ch.49 §105: witness against insurance company not exempt from testifying on ground of being incriminated; thereafter exempt from prosecution as to such matters. 1§ '07 ch.110, 22 Mar.
- d **Me.** Amdg. R.S.'03 ch.84 §116: witness refusing to answer may be fined \$100 [§20] *or imprisoned 3 months.* 1§ '07 ch.145, 26 Mar.
- e **N. M.** Rep. '01 ch.58 and reenacting C.L.'97 §3016: allows convicts to testify. 2§ '07 ch.26, 16 Mar.
- f **N. C.** Amdg. Revisal '05 §865 rel. to examination of adverse party: officer or agent in case of corp. 1§ '07 ch.799, 8 Mar
- g **N. D.** Amdg. R.C.'05 §7252 rel. to examination of adverse party. 1§ '07 ch.4, 19 Feb.
- h **N. D.** Amdg. R.C.'05 §7246 rel. to examination of party before trial before judge *or referee.* 1§ '07 ch.5, 19 Mar.
- i **Wis.** Amdg. S.'98 §4068 rel. to examination of officers, *agents and employees* of corp. by adverse party. 1§ '07 ch.271, 19 June

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# Attendance and fees of witnesses

- a **Ark.** Officer may summon juror or subpoena witness by telephone. 3§ '07 ch.260, 6 May
- b **Cal.** Amdg. C.C.P. §1986, 1991 rel. to subpoenas. 2§ '07 ch.391, 20 Mar.
- c **Cal.** Amdg. C.C.P. §2064, 2070 rel. to attendance of witnesses. 2§ '07 ch.395, 20 Mar.
- d **Fla.** Amdg. G.S.'06 §1512: pay of witness in court of county judge and justice of peace \$1 [50c] per day. 3§ '07 ch.54, 21 May
- e **Ga.** Amdg. Pen.C.'95 §1115 rel. to per diem of witness from without county. 2§ '07 p.58, 22 Aug.
- f **Ind.** Prosecuting attys. may have issued subpoenas for appearance of witnesses before grand jury. 3§ '07 ch.179, 9 Mar.
- g **Ia.** Amdg. C. §3853: losing party not to be assessed for mileage of over 70 miles for any witness. 1§ '07 ch.106, 2 Apr.
- h **Kan.** Officeholders testifying as witnesses for the state not to receive witness fees. 2§ '07 ch.183, 8 Mar.
- i **Me.** Amdg. R.S.'03 ch.117 §13: fee of witness before referees \$1.50 [50c] per day. 1§ '07 ch.66, 15 Mar.
- j **Me.** Amdg. R.S.'03 ch.84 §115: witness failing to obey subpoena may be fined \$100 [§20]. 1§ '07 ch.139, 26 Mar.
- k **Mass.** Amdg. R.L. ch.175 §8 allowing certain mun. bds. and officers to summon and examine witnesses: fire comrs., school bds., bds. for granting licenses for intoxicating liquors included. 1§ '07 ch.328, 23 Apr.
- n **N. M.** Court may require bond for appearance of witness; attachment to issue on default. 3§ '07 ch.17, 14 Mar.
- p **Pa.** Per diem of jurors \$2.50; of witnesses \$1.50. 2§ '07 ch.262, 1 June

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- q **Tex.** County and precinct officers collecting witness fees and costs to pay same over promptly; if uncalled for in 4 years to turn over to county treasurer. 4§ '07 ch.54, 3 Apr.
- r **U.** Fees of witness in city court same as in District Court. 1§ '07 ch.77, 14 Mar.
- s **Wash.** Fees of state and county officers, witnesses and jurors. Rep.'93 ch.130. 11§ '07 ch.56, 2 Mar.

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**Books. Papers. Laws**

- a **Kan.** Production of books and papers and giving of testimony in actions against unlawful combinations; immunity. 6§ '07 ch.259, 9 Mar.
- b **N. D.** Amdg. R.C.'05 §5334 rel. to proof of written instrument. 2§ '07 ch.139, 8 Mar.
- c **N. D.** Admission of business record in book or permanent form as evidence. 1§ '07 ch.118, 19 Mar.
- d **S. D.** Certified copy of paper in custody of Dept. of History to be accepted as evidence. 4§ '07 ch.133, 7 Mar.
- e **W. Va.** Writing proved genuine to satisfaction of judge may be used without testimony of witnesses to prove genuineness of disputed writing. 1§ '07 ch.39, 26 Feb.
- f **Wis.** Amdg. S.'98 §4163: certificate of officer that paper of which he has legal custody is lost *or has not been filed*, presumptive evidence of such statement. 1§ '07 ch.276, 20 June

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**Competence. Forms etc.**

- a **Cal.** Amdg. C.C.P. §1881 rel. to persons incompetent to testify: excludes husband or wife suing 3d party for alienation of affections or adultery of the other. 1§ '07 ch.68, 1 Mar.
- b **Col.** Amdg. Ann.S.'91 §4816 rel. to when adverse party in interest may testify as to conversation and matter occurring before death of deceased. 2§ '07 ch.251, 3 Apr.
- c **Col.** Amdg. G.S.'83 §3642: entries by defendant *or employee* in account book competent evidence. 1§ '07 ch.252, 9 Apr.
- d **Del.** Husband and wife may testify for or against each other in civil and criminal cases. 1§ '07 ch.243, 14 Mar.
- e **Mon.** Amdg. C.C.P. §3162 rel. to persons not qualified to testify. 1§ '07 ch.46, 27 Feb.
- f **N. D.** Amdg. R.C.'05 §7253: where corp. party to action against executor or heirs, stockholder, officer or employee not competent to testify as to transaction with decedent. 1§ '07 ch.119, 14 Mar.
- g **Pa.** In civil actions brought by husband, wife competent witness in rebuttal to defend her character. 1§ '07 ch.146, 8 May
- h **Pa.** Copies of records of Dept. of Health, certified by comr. under seal, to be admitted in evidence as originals. 1§ '07 ch.229, 29 May
- i **Pa.** Physician not allowed to disclose information received from patient in civil case, except where patient brings suit for personal injuries. 2§ '07 ch.311, 7 June

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- j U. Amdg. R.S.'98 §3414: wife or husband may testify against other in prosecution for criminal neglect of child. 1§  
'07 ch.128, 23 Mar.
- k Wis. Amdg. S.'98 §4069: person or stockholder, officer, or trustee of corp. not to testify in his or its behalf rel. to transaction with deceased personally where opposite party derives interest from deceased. 1§  
'07 ch.197, 12 June

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**Depositions. Affidavits**

- a Cal. Declaring unconst. C.C.P. §1991 as far as it provides for striking out defendant's answer on refusal to depose before notary. Deprives of property without due process of law.  
O'Neill v. Thomas Day Co. 92 P.856 (1907)
- b Cal. Where summons served by publication and default entered, party to action unknown and witness resides without state, notice of taking deposition of such witness dispensed with. Adds C.C.P. §2029. 1§  
'07 ch.87, 5 Mar.
- c Cal. Amdg. C.C.P. §2006, 2024-26, 2036-37 rel. to depositions. Adds §2022-23; rep. §2033-34. 10§  
'07 ch.392, 20 Mar.
- d Cal. Amdg. C.C.P. §2012 as to who may take affidavits for use in court or before officer. 1§  
'07 ch.393, 20 Mar.
- e Cal. Amdg. C.C.P. §2004: where default entered to be deemed waiver of right to notice of taking testimony by deposition. 1§  
'07 ch.527, 23 Mar.
- f Mo. Amdg. R.S.'99 §2896: deposition may be taken in short-hand and transcribed. 1§  
'07 p.253, 20 Mar.
- g N. M. Providing for taking deposition of witness for use without territory. 4§  
'07 ch.84, 21 Mar.
- h Tex. Amdg. R.C.S.'95 art.2282, 2284: taking deposition in civil case orally. Adds art.2291a-g. 9§  
'07 ch.91, 12 Apr.
- i Wis. Declaring unconst. S.'98 §4096 in so far as it allows examination and taking of deposition of former employee of corp. but not of private person by adverse party. Denies equal protection of laws.  
Phipps v. Wis. Cent. Ry. Co. 113 N. W. 456 (1907)
- j Wis. Amdg. S.'98 §4096 rel. to examination of party before trial: production of books and papers. 1§  
'07 ch.369, 24 June
- k Wis. Amdg. S.'98 §4102 rel. to taking depositions. 1§  
'07 ch.455, 29 June

722

**Evidence in chancery**

- a Vt. Testimony before *chancellor* or special masters *shall* [may] be oral; otherwise to be reduced to writing. Rep. S. §934; amds. §935. 3§  
'06 ch.62, 15 Dec.

726

**Jury. Verdict**

- a Ark. Officer may summon juror or subpoena witness by telephone. 3§  
'07 ch.260, 6 May
- b Cal. Amdg. C.C.P. §602, 615: juror may be challenged for relationship to officer of corp. party to suit; proceedings on illness of juror. 2§  
'07 ch.377, 20 Mar.

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- c **Id.** Amdg. R.S.'87 §4383: in civil action judge may instruct jury in writing as to law before summing up; may be oral with consent of parties. 2§ '07 p.166, 5 Mar.
- d **Mo.** Rep. R.S.'99 §6566 rel. to special juries in city of 100,000 1§ '07 p.117, 1 Apr.
- e **Mon.** Amdg. C.C.P. §1080: requests for instructions to be settled without presence of jury; exceptions. 2§ '07 ch.34, 25 Feb.
- f **N. Y.** Amdg. C.C.P. §1190: jury in civil action may be excluded from court room during argument of nonsuit or direction of verdict. 1§ '07 ch.502, 15 June
- g **S. C.** Fine of \$10 for juror failing to attend Mun. Court. 1§ '07 ch.274, 25 Feb.
- h **W. Va.** Court to reduce charge to jury to writing; amdt.; order. 5§ '07 ch.38, 27 Feb.

727

### Exemptions

- a **Cal.** Amdg. C.C.P. §200: person not to be drawn as juror twice in year *except in counties of under 5000*. 1§ '07 ch.483, 22 Mar.
- b **N. M.** Amdg. '05 ch.116 §2: dentists and druggists exempted from jury duty. 2§ '07 ch.58, 19 Mar.
- c **S. C.** Exempting licensed embalmers from jury duty. Amds. C.C. §2935. 1§ '07 ch.237, 20 Feb.
- d **Tex.** Verified statement of exemption from jury duty filed with clerk of court excuse for not attending. 1§ '07 ch 115, 16 Apr.

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### Fees and mileage

- a **Ari.** Amdg. R.S.'01 §2631: jurors in District Court to get \$3 [\$2] per day. 2§ '07 ch.7, 2 Mar.
- b **Cal.** Submitting amdt. to Const. 1879 art.11 §5: Legis. may fix fees of county officers; also of jurors graded according to class of county, not to exceed \$3 per day. 1§. Vote Nov. 1908. '07 p.1276, 8 Mar.
- c **Fla.** Amdg. G.S.'06 §1586; juror in County and Justice Courts and inquests to receive \$1 [50c] per day. 2§ '07 ch.52, 3 June
- d **Me.** Amdg. R.S.'03 ch.117 §12: fees of jurors \$3 [\$2] per day. 1§ '07 ch.8, 13 Feb.
- e **Mich.** Amdg. C.L.'97 §11, 229: jurors in court of record to receive \$3 [\$2] per day. 1§ '07 ch.236, 27 June
- f **Mo.** Amdg. R.S.'99 §3784: juror to receive fees and mileage whether selected or not. 1§ '07 p.321, 20 Mar.
- g **N. H.** Amdg. P.S. ch.287 §21: jurors to receive \$3 [\$2] per day. 1§ '07 ch.78, 22 Mar.
- h **N. Y.** Amdg. C.C.P. §3314: bds. of supervisors may allow per diem of \$3 [\$2] to grand and trial jurors. 1§ '07 ch.148, 11 Apr.
- i **N. C.** Juror's per diem \$1 in case of allotting widow's year's allowance or dower. 1§ '07 ch.223, 18 Feb.
- j **Or.** Amdg. Ann.C.& S. §3008: juror's fee \$3 [\$2]; talesman \$2. 1§ '07 ch.68, 23 Feb.
- k **Pa.** Per diem of jurors \$2.50, of witnesses \$1.50. 2§ '07 ch.262, 1 June

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- n **R. I.** Amdg. G.L. ch.295 §8 rel. to fees and mileage of jurors. Rep. §9. 2§ '07 ch.1459, 23 Apr.
- p **S. C.** Jurors in Circuit Courts to receive \$2 [\$1.50] per day. Amds. C.C. §2938. 2§ '07 ch.244, 20 Feb.
- q **S. D.** Bailiffs and jurors to receive \$2 per day in Circuit Court; judge may allow \$3. 2§ '07 ch.119, 26 Feb.
- r **Tex.** Amdg. R.C.S.'95 art.1558: additional levy in county to supplement jury fund. 1§ '07 ch.24, 15 Mar.
- s **Tex.** Providing per diem of \$1 for veniremen. 1§ '07 ch.113, 16 Apr.
- t **Wash.** Fees of state and county officers, witnesses and jurors. Rep. '93 ch.130. 11§ '07 ch.56, 2 Mar.
- u **Wis.** Amdg. S.'98 §2533d rel. to pay of jurors. 1§ '07 ch.95, 10 May
- v **Wis.** Amdg. '91 ch.99 §18: juror in County Court to receive *same compensation as in Circuit Court* [\$2 per day]. 1§ '07 ch.227, 15 June
- w **Wis.** Amdg. S.'98 §3775 subdiv. 1: juror in Justices Court to receive \$1 [50c] per day. 1§ '07 ch.312, 21 June
- x **Wis.** Amdg. S.'98 §2561: juror in Circuit or County or Mun. Court from which appeal is taken directly to Supreme Court, to receive \$3 per day. 1§ '07 ch.617, 12 July

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## Qualifications. Drawing. Impaneling

- a **Cal.** Amdg. C.C.P. §230 rel. to jurors: in counties having 2 or more superior judges separate panel may be drawn for each. Adds §248. 2§ '07 ch.355, 19 Mar.
- b **Del.** Summoning and service of jurors. Rep. sundry laws. 23§ '07 ch.244, 29 Mar.
- c **Ia.** Preparation of new jury list where names returned by election officers are not qualified. 4§ '07 ch.12, 21 Mar.
- d **Kan.** Selection of petit jurors in counties of more than 100,000 13§ '07 ch.232, 28 Feb.
- e **Kan.** Summoning of jurors to fill incomplete panel, in counties where District Court sits in more than one place. 2§ '07 ch.231, 7 Mar.
- f **Kan.** Amdg. G.S.'01 §3816 rel. to juries: filling of incomplete panel; omission of names from particular localities in cases of gen. notoriety. 2§ '07 ch.230, 9 Mar.
- g **Me.** Peremptory challenge may be exercised on determining that juror called stands indifferent. 1§ '07 ch.115, 26 Mar.
- h **Me.** Amdg. R.S.'03 ch.135 §12: where crime punishable by life imprisonment state to have 10 [5] peremptory challenges. 1§ '07 ch.146, 26 Mar.
- i **Mass.** Jury lists; bds. to investigate character and qualifications of prospective jurors. Amds. R.L. ch.176 §4-8. 8§ '07 ch.348, 3 May
- j **Mich.** Amdg. C.L.'97 §349: cause of challenge to juror in Justice or Police Court for having served *twice* [more than 3 times] within year. 1§ '07 ch.316, 28 June
- k **Mon.** Amdg. C.C.P. §260 rel. to drawing of jurors. 2§ '07 ch.7, 7 Feb.

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- n **N. J.** Rel. to jury panels in counties of 100,000. 7§  
'07 ch.6, 27 Feb.
- p **N. M.** Amdg. '05 ch.116 §3, 5, 9, 18, 20 rel. to drawing jurors. 6§  
'07 ch.1, 7 Feb.
- q **N. Y.** Amdg. '04 ch.232 §7 rel. to making jury lists in counties of 180,000: town assessors to receive \$3 per day for work connected therewith. 1§  
'07 ch.240, 30 Apr.
- r **Or.** Amdg. Ann.C.& S. §972: jury not to contain more than 1500 [600] names. 1§  
'07 ch.215, 25 Feb.
- s **Tex.** Drawing of jurors in county containing city of 20,000. Amds. Crim.P.'95 art.647. '07 ch.139, 18 Apr.
- t **Wis.** Amdg. S.'98 §2533b rel. to drawing petit jurors: name of ineligible to be cast out if drawn. 1§  
'07 ch.323, 21 June

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### Verdicts

- a **U.** Amdg. R.S.'98 §3168: trial court may modify finding of fact on motion before notice of appeal filed. 1§  
'07 ch.150, 25 Mar.
- b **Wis.** Omission to submit controverted fact to jury for special verdict. Adds S.'98 §2858m. 1§  
'07 ch.346, 24 June

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### Appeals. Review

- a **Ala.** Amdg. C.'96 §426-27, 431, 434, 456: appeals to lie to Supreme Court from county courts of law and equity. 5§  
'07 p.720, 13 Aug.
- aa **Ark.** Amdg. S.'04 §1223 rel. to appeals to Supreme Court. 1§  
'07 ch.137, 2 Apr.
- b **Cal.** Amdg. C.C.P. §954 rel. to dismissal of appeal on failure of undertaking. 1§  
'07 ch.307, 18 Mar.
- c **Cal.** Amdg. C.C.P. §656, 659-60, 663a rel. to new trials. 4§  
'07 ch.380, 20 Mar.
- d **Cal.** Providing for preparation of record on appeal from stenographic transcript of proceedings in lieu of bills of exceptions. Adds §953a, b, c, to C.C.P. 3§  
'07 ch.408, 20 Mar.
- e **Cal.** Providing for alternative method of appeal to Supreme or District Courts; notice of appeal to be filed with clerk in court in which judgment rendered; service on parties not required. Adds §941a, b, c to C.C.P. 3§  
'07 ch.410, 20 Mar.
- f **Cal.** Court may grant new trial where bill of exceptions and proceedings destroyed by public calamity. 2§  
'07 ch.537, 23 Mar.
- g **Col.** Amdg. C.P. §388: on appeal to Supreme Court from money judgment bond to be filed to provide for payment. 1§  
'07 ch.122, 3 Apr.
- h **Ct.** Amdg. G.S.'02 §809 rel. to remanding cause after decision by Supreme Court: to court when judge out of office. 1§  
'07 ch.174, 28 June
- i **Fla.** Amdg. G.S.'06 §1698: writ of error returnable *in term or vacation time* [1st day of next term] within 30 to 90 [50] days. 2§  
'07 ch.43, 3 June

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- j **Id.** Amdg. R.S.'87 §4809 rel. to undertaking on appeal: defect waived unless notice in writing be given. 1§ '07 p.134, 5 Mar.
- k **Id.** Amdg. R.S.'87 §4824 rel. to appeals to Supreme Court: verdict not to be set aside if supported by substantial evidence. 1§ '07 p.483, 15 Mar.
- n **Ill.** Amdg. '97 p.200 §5: time of filing copies of records in appeals to Supreme Court. 1§ '07 p.262, 13 May
- p **Ind.** Amdg. '01 ch.247 §9 rel. to appeals to Supreme and Appellate Courts. Rep. §10 subdiv.3 and '05 ch.161. 3§ '07 ch.148, 9 Mar.
- q **Kan.** Amdg. G.S.'01 §5019, rel. to jurisdiction of Supreme Court to revise or modify order of District Court. 2§ '07 ch.256, 9 Mar.
- r **Mich.** Regulating appeal in chancery cases. 6§ '07 ch.340, 28 June
- s **Minn.** Amdg. '05 §4199 rel. to basis of motion for new trial. 1§ '07 ch.450, 25 Apr.
- t **Miss.** Declaring unconst. C.'06 §4910 rel. to entry of remittitur. Denies defendant equal rights. Yazoo & M. V. R. Co. v. Wallace 43\*S. 469 (1907)
- u **Mo.** Amdg. R.S.'99 §5937: city of 4th class may appeal from judgment of mayor or police judge in case arising under mun. ordinance. 1§ '07 p.106, 7 Mar.
- v **Mon.** Amdg. C.C.P. §1172-74, 1176 rel. to motion for new trial. 5§ '07 ch.41, 26 Feb.
- w **Mon.** Amdg. C.C.P. §1736, 1738-39 rel. to appeal to Supreme Court: record may be abbreviated. 4§ '07 ch.42, 26 Feb.
- x **Mon.** Amdg. C.C.P. §1763 rel. to undertaking on appeal from Justice Court. 2§ '07 ch.186, 9 Mar.
- y **Neb.** Appeals to Supreme Court in civil cases. Rep. C.S.'05 §7156-58, 7171, 7265, 7265a-d. 6§ '07 ch.162, 5 Apr.
- z **Nev.** Amdg. C. L.'00 §3292 rel. to exceptions on appeal. 1§ '07 ch.164, 29 Mar.
- za **N. J.** Amdg. '02 ch.158 §1111: appeal to be taken from final decree of Court of Chancery in 1 [3] year. 2§ '07 ch.198, 15 May
- zb **N. J.** Amdg. R.S.'74 p.262 §2: writ of error to be taken in 1 [3] year; *in case rel. to land in 3 months.* 2§ '07 ch.199, 15 May
- zc **N. M.** Providing appellate procedure in civil and criminal cases. Rep. C.L.'97 §885, 887-89, 894-99, 2685 subdiv. 161-71, 3136-47, 3406-21; '99 ch.32, ch.75 §1-5; '05 ch.114 §1-4. 60§ '07 ch.57, 20 Mar.
- zd **N. Y.** Amdg. C.C.P. §1342 rel. to appeal from court order. 1§ '07 ch.579, 15 July
- ze **N. C.** If appellant fail to request court to settle case on appeal for 15 days after service of counter case, exceptions of appellee to be allowed or counter case to constitute case on appeal. 1§ '07 ch.312, 23 Feb.
- zf **N. C.** Providing for proper entry on docket of judgment appealed to Superior Court; clerk liable to party injured by neglect. 2§ '07 ch.880, 11 Mar.
- zg **Or.** Amdg. Ann. C.& S. §173-75, 201-2, 547 rel. to motion to set aside judgment and appeal therefrom. 6§ '07 ch.162, 25 Feb.

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- zh Tex.** Amdg. '03 ch.25: judge allowed 10 days after adjournment of term to prepare findings when demanded. 2§  
'07 (ex. sess.) ch.7, 14 May
- zi Tex.** Amdg. R.C.S.'95 art.975: on reversing judgment of Court of Civil Appeals, Supreme Court may remand to such court or to District Court. 1§  
'07 (ex. sess.) ch.15, 16 May
- zj U.** Court, on motion, may require new and sufficient undertaking on appeal. 1§  
'07 ch.151, 25 Mar.
- zk U.** Amdg. R. S.'98 §3744, 3746-48, 3750 rel. to appeal from Justice Court. 5§  
'07 ch.160, 25 Mar.
- zn U.** Amdg. R.S.'98 §655: Supreme Court may direct court appealed from to modify findings and enter judgment accordingly. 1§  
'07 ch.161, 25 Mar.
- zp Wis.** Amdg. S.'98 §4235 rel. to time of commencing action after reversal on appeal. 1§  
'07 ch.279, 20 June
- zq Wis.** Amdg. S.'98 §4031, 4033-34 rel. to appeals from County to Circuit Court. 3§  
'07 ch.593, 12 July

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### Exceptions

- a Cal.** Amdg. C.C.P. §647, 649-52 rel. to exceptions. 5§  
'07 ch.379, 20 Mar.
- b Ct.** Amdg. G.S.'02 §1087 rel. to summary process: Sunday or legal holiday not included in 48 hours allowed for filing exceptions. 1§  
'07 ch.104, 5 June
- c Mon.** Rel. to bill of exceptions on appeal: ruling against either party to be incorporated in; ruling against respondent to be considered; nonprejudicial error no ground for reversal. 3§  
'07 ch.35, 25 Feb.
- d Or.** Amdg. Ann. C.& S. §170 rel. to taking and filing exceptions. 1§  
'07 ch.184, 25 Feb.
- e R. I.** Amdg. Court and Practice Act '05 §490: notice of filing bill of exceptions to Supreme Court need not be given adverse party. 1§  
'07 ch.1460, 23 Apr.
- f Vt.** Exceptions in County Court to be filed within 30 days after rising of court, *unless shorter time be fixed by court.* Amds. S. §1626. 1§  
'06 ch.70, 17 Dec.
- g Wis.** Bill of exceptions to include all testimony by question and answer as shown by stenographer's transcript unless stipulated otherwise. Adds S.'98 §2873m, 1§  
'07 ch.547, 10 July

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### Judgments

- a Cal.** Amdg. C.C.P. §1915 rel. to effect of foreign judgment. 1§  
'07 ch.178, 11 Mar.
- b Cal.** Amdg. C.C.P. §581, 581a, 582, 585 rel. to judgments. 4§  
'07 ch.376, 20 Mar.
- c Cal.** Amdg. C.C.P. §664, 670, 672, 674 rel. to entry and docket of judgments. 4§  
'07 ch.381, 20 Mar.
- d Ct.** Amdg. G.S.'02 §741 rel. to hearing in damages by jury after default or demurrer overruled. 2§  
'07 ch.112, 4 June



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- e **Mo.** Amdg. R.S.'99 §751: tender of judgment may be served on plaintiff *or his atty.* 1§ '07 p.121, 6 Mar.
- f **Mo.** Amdg. R.S.'99 §752: tender of judgment in action on contract may be served on plaintiff *or his atty.* 1§ '07 p.122, 6 Mar.
- g **Mon.** Transcript of judgment of federal court may be filed in state District Court so as to effect lien on real property. 2§ '07 ch.14, 15 Feb.
- h **N. J.** Amdg. R.S.'74 p.282 §23-24: right to order of discovery by judgment debtor extended to executor or assignee of creditor. 2§ '07 ch.138, 7 May
- i **N. J.** On procuring writ of error defendant may release real estate from lien of judgment by cash deposit. 2§ '07 ch.203, 15 May
- j **Or.** Amdg. Ann. C.& S. §309: judgment against surety for release of property from attachment. 1§ '07 ch.193, 25 Feb.

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**Executions. Judicial sales***See also 451, Exemption from execution*

- a **Cal.** Amdg. C.C.P. §681, 687-89 rel. to executions and attachments. 4§ '07 ch.360, 19 Mar.
- b **Cal.** Amdg. C.C.P. §700 rel. to execution sales. Adds §700a. 2§ '07 ch.361, 19 Mar.
- c **Cal.** Amdg. C.C.P. §714, 717, 719-20 rel. to proceedings supplementary to execution. 4§ '07 ch.362, 19 Mar.
- d **Cal.** Amdg. C.C.P. §692: notice of sale of real property on execution to be published in newspaper *of gen. circulation* printed in city *or township* [county] where property situated; *or if none in one printed in county.* 1§ '07 ch.525, 23 Mar.
- e **Id.** Amdg. R.S.'87 §4482 rel. to notice of sale under execution. 1§ '07 p.30, 19 Feb.
- f **Ia.** Amdg. C. §3955: issuance of duplicate of lost execution. 1§ '07 ch.167, 13 Apr.
- g **Kan.** Amdg. G.S.'01 §4868, rel. to judgment liens: execution to issue only from court in which judgment was rendered; reentry of unsatisfied judgment. 2§ '07 ch.260, 21 Feb.
- h **Mo.** Amdg. R.S.'99 §4019: execution on judgment in Justice Court may be sued out in court where transcript filed. 1§ '07 p.325, 19 Mar.
- i **Nev.** Amdg. C.L.'00 §3328 rel. to redemption of real property sold under execution. 1§ '07 ch.3328, 15 Mar.
- j **N. Y.** Amdg. C.C.P. §1429 which requires 6 days notice of sale of personal property on execution: perishable property may be sold at any time court deems proper. 1§ '07 ch.244, 30 Apr.
- k **Or.** Amdg. Ann. C.& S. §251: service of notice of redemption may be filed with sheriff if purchaser can not be found; certificate of redemption to be attached to judgment roll by clerk of court. 1§ '07 ch.224, 25 Feb.
- n **Or.** Amdg. Ann. C.& S. §254 rel. to examination of judgment debtor. 1§ '07 ch.227, 25 Feb.

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- p **Vt.** Where amount of execution is \$50 or more notice of sale to be advertised in newspaper 2 weeks; cost of publication not to exceed \$2. Amds. S. §1798. 1§ '06 ch.71, 7 Dec.
- q **Wis.** Amdg. S.'98 §3302 rel. to collection of judgment in forfeiture case. 1§ '07 ch.180, 6 June
- r **Wis.** Amdg. S.'98 §3007, 3010 subdiv.1 rel. to redemption of realty sold under execution. 2§ '07 ch.181, 6 June

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### Costs. Bonds

- a **Cal.** Amdg. C.C.P. §924: in action in Justice Court for laborer's wages counsel fees not exceeding 20% of recovery to be added to costs. 1§ '07 ch.51 28 Feb.
- b **Cal.** Amdg. C.C.P. §1057: where surety becomes insufficient court to require new undertaking. 1§ '07 ch.245, 15 Mar.
- c **Cal.** Amdg. C.C.P. §1055 rel. to judgment on bonds of indemnity. 1§ '07 ch.246, 15 Mar.
- d **Ct.** Amdg. G.S.'02 §769 rel. to costs in action founded on tort. 1§ '07 ch.97, 28 May
- e **Ct.** Amdg. G.S.'02 §4840 rel. to costs in civil actions: allowance for maps [in trial involving title to real property], *plans, mechanical drawings and photographs*. 1§ '07 ch.109, 5 June
- f **Fla.** Amdg. G.S.'06 §4072: justice of peace and county judge may require payment or security for costs in advance. 1§ '07 ch.56, 3 June
- g **Minn.** Amdg. R.L.'05 §4339 rel. to costs in action for labor performed. 1§ '07 ch.200, 15 Apr.
- h **Mo.** In suit in Justice Court on lost note or bill bond for costs etc. in double amount to be given. Adds R.S.'99 §3854a. 1§ '07 p.325, 18 Mar.
- i **Neb.** Justice of peace may enter judgment for costs when action is dismissed by plaintiff. 2§ '07 ch.161, 1 Apr.
- j **Pa.** Cost of printing paperbooks on appeal to Supreme or Superior Court to be allowed as costs. 2§ '07 ch.69, 15 Apr.
- k **Pa.** Amdg. '85 ch.125 §1 rel. to appeals from alderman or justice of peace: appellant may give bail in lieu of paying costs. 2§ '07 ch.231, 29 May
- n **Tex.** Amdg. R.C.S.'95 art.1442 rel. to inability to give security for costs. 1§ '07 ch.5, 14 Feb.
- p **Tex.** County and precinct officers collecting witness fees and costs to pay same over promptly; if uncalled for in 4 years to turn over to county treasurer. 4§ '07 ch.54, 3 Apr.
- q **U.** On certiorari from justice of peace atty.'s fees, not to exceed \$25, may be taxed as costs. 1§ '07 ch.84, 14 Mar.
- r **Wis.** Plaintiff may make cash deposit in lieu of undertaking as security for costs. Adds S.'98 §2946a. 1§ '07 ch.48, 18 Apr.
- s **Wis.** Amdg. S.'98 §4013, 4015 rel. to bond in County Court. 2§ '07 ch.183, 6 June
- t **Wis.** Court may require new bond at any time in civil or criminal proceeding. Adds S.'98 §4281m. 1§ '07 ch.213, 13 June

## CIVIL PROCEDURE

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- u **Wis.** Amdg. S.'98 §3479: commitment for disobedience to order directing payment of costs may be made to prison *or house of correction*. 1§ '07 ch.481, 9 July
- v **Wis.** Amdg. S.'98 subdiv.58: where action against city is founded on tort no bond required on appeal from disallowance of claim by council. 1§ '07 ch.663, 16 July

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### Court funds

- a **Cal.** Amdg. C.C.P. §572-73: money paid into court to be kept distinct fund by county treasurer; open to inspection. Rep. §2104. 3§ '07 ch.375, 20 Mar.
- b **Cal.** Rep. C.C.P. §2104 rel. to moneys paid into court. 1§ '07 ch.396, 20 Mar.
- c **Mass.** Amdg. R.L. ch.116 §16: money paid into court and deposited in trust company if unclaimed for 10 years to be paid to Treasurer and Receiver Gen. subject to claim of owner. 1§ '07 ch.417, 16 May
- d **Neb.** Fees, costs and unclaimed legacies may be paid into County Court; judge to pay to persons entitled to them. 2§ '07 ch.44, 4 Mar.

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### Special actions

- a **Cal.** Amdg. C.C.P. §740: in action for recovery of [real] property where plaintiff's right thereto terminates during proceedings damages may be recovered for wrongful withholding. 1§ '07 ch.363, 19 Mar.

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### Attachment

*See also 451, Exemption from execution*

- a **Cal.** Amdg. C.C.P. §539, 553-55 rel. to attachment and release therefrom. Adds §560. 5§ '07 ch.373, 20 Mar.
- b **Mass.** Dissolution of attachments of real estate to be acknowledged by plaintiff or atty., or may be made by filing certificates of clerk of court. 2§ '07 ch.334, 24 Apr.
- c **Mass.** Amdg. R.L. ch.167 §62: attachments of land and leasehold estates where owner is wrongly named in writ, take effect only from time of depositing amended writ. 1§ '07 ch.370, 4 May
- d **Mass.** Amdg. R.L. ch.167 §117 rel. to bond to dissolve attachment: qualification of surety. 1§ '07 ch.393, 8 May
- e **Mass.** Amdg. R.L. ch.173 §116; ch.167 §56: where attachment made, appeal not to be waived without leave of court and notice to opposite party; property to be held 30 days after waiver or dismissal of appeal. 2§ '07 ch.546, 21 June
- f **Mich.** Amdg. C.L.'97 §10574 rel. to proceedings against debtor by attachment. 1§ '07 ch.30, 27 Mar.
- g **Mo.** Amdg. R.S.'99 §370 rel. to attachment against nonresident. 1§ '07 p.68, 28 Feb.
- h **Nev.** Amdg. C.L.'00 §3218: attachment of property authorized in action on judgment. 1§ '07 ch.58, 12 Mar.
- i **N. H.** Amdg. P.S. ch.220 §16 rel. to attachment of certain bulky articles: vehicles included. 1§ '07 ch.44, 6 Mar.

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- j N. J. Amdg. '03 ch.247 §84 rel. to attachments at commencement of action. 1§ '07 ch.114, 30 Apr.
- k N. Y. Amdg. C.C.P. §648-49: interest in estate of decedent may be attached. 2§ '07 ch.318, 7 May
- n U. Msdr. for justice of peace to issue attachment before filing of affidavit or if same be defective. 2§ '07 ch.104, 14 Mar.

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*Garnishment*

- a Ari. Amdg. R.S.'01 §388: 1/2 [all] earnings for personal service exempt from garnishment when applied to support of debtor's family residing in territory. 1§ '07 ch.34, 14 Mar.
- b Col. Garnishee not required to set up exemptions of debtor nor defend assignment of property of debtor in his hands; may deliver property into court. 4§ '07 ch.127, 3 Apr.
- c Id. Defining garnishee and providing for proceedings in case of garnishment. 15§ '07 p.158, 2 Mar.
- d Neb. Amdg. C.S.'05 §7099 rel. to exemption of wages: 90% of wages of all persons [laborers, mechanics and clerks] who are heads of families to be exempt; 60 day limitation removed. 2§ '07 ch.160, 9 Apr.
- e N. D. Change of venue in garnishment proceedings. 1§ '07 ch.83, 13 Mar.
- f R. I. Amdg. Court and Practice Act. '05 §28 rel. to examination of signer of garnishee's answer. Rep. §591. 2§ '07 ch.1432, 16 Apr.
- g Wash. Amdg. Ballinger's Ann. C.& S.'97 §5412 rel to garnishment of wages. 1§ '07 ch.210, 15 Mar.
- h Wis. Amdg. S.'98 §2765: garnishee electing to defend principal action to be made defendant of record. 1§ '07 ch.161, 4 June
- i Wis. Amdg. S.'98 §3721a rel. to garnishment. 1§ '07 ch.348, 22 June

Condemnation proceedings, *see* 382

Foreclosure, *see* 406

Partition, *see* 385

Probate procedure, *see* 429

746

*Replevin*

- a Ct. Judges of Superior Court to prescribe form of pleadings in action of replevin. 1§ '07 ch.47, 17 Apr.
- b Ct. Amdg. G.S.'02 §1057 rel. to bond on issue of writ of replevin. 1§ '07 ch.96, 27 May
- c S. C. Allowing punitive damages in replevin except for anything occurring after giving bond. Amds. C.C.P. §299. 1§ '07 ch.229, 13 Feb.

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**Title and possession of property***See also* 381

- a **Ala.** Amdg. C.'96 §809 rel. to action to clear title to real property by person in possession *in own right or as personal representative or guardian*. 1§ '07 p.574, 6 Aug.
- aa **Cal.** Amdg. C.C.P. §1166-67 rel. to summary proceedings to obtain possession of real property. Rep. §1175. 3§ '07 ch.257, 16 Mar.
- b **Cal.** Rep. C.C.P. §749 rel. to service of summons by publication in real property actions. 1§ '07 ch.364, 19 Mar.
- c **Me.** Limitation of action for uncultivated lands in incorporated places, held adversely, 20 years. 2§ '07 ch.117, 26 Mar.
- d **Me.** Amdg. R.S.'03 ch.106 §47-48 rel. to proceedings to quiet title: defendant's grantee may voluntarily become party. 2§ '07 ch.150, 26 Mar.
- e **Neb.** Owner of real estate may have title quieted against unenforceable lien. 1§ '07 ch.97, 29 Mar.
- f **Nev.** Amdg. C.L.'00 §3351 rel. to action to try title to real property. 2§ '07 ch.83, 15 Mar.
- g **N. C.** Amdg. Revisal '05 §1589 rel. to action to quiet title to real property: husband or wife may bring against other after separation of 2 years; personal service. 1§ '07 ch.888, 11 Mar.
- h **N. D.** Declaring unconst. '01 ch.5 in so far as it provides in actions to quiet title, for service of summons by publication which does not contain description of land or specifically name adverse claimants. Takes property without due process of law.  
Fenton v. Minnesota Title Ins. & Trust Co. 109 N. W. 363 (1906)

**Torts, see** 468**749 Writs: certiorari, injunction, mandamus, prohibition, quo warranto, scire facias**

- a **Cal.** Amdg. C.C.P. §1086-89 rel. to writs of mandate: copy of petition to be served with alternative writ or notice of intention to apply for writ. 4§ '07 ch.244, 15 Mar.
- b **Cal.** Amdg. C.C.P. §525-27, 529-32 rel. to injunctions. 7§ '07 ch.272, 16 Mar.
- c **Cal.** Amdg. C.C.P. §1069: application for certiorari to be made *on verified petition* [affidavit]. 1§ '07 ch.328, 19 Mar.
- d **Cal.** Amdg. C.C.P. §1103-4 rel. to writs of prohibition: issued *on verified petition* [affidavit on application]; *need not contain allegations*. 2§ '07 ch.449, 21 Mar.
- e **Ia.** Amdg. C. §3656: mandamus may be brought at appearance term. 1§ '07 ch.165, 23 Feb.
- f **Ia.** Amdg. C. §4341: mandamus to be tried as equitable action. 1§ '07 ch.168, 23 Feb.
- g **Kan.** Abatement of unlawful gambling places by injunction on application of Atty. Gen., county atty. or any citizen. 6§ '07 ch.263, 9 Mar.

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- h Neb.** Memorializing Cong. to pass act preventing railroad companies and other tax debtors from interfering by injunction in federal courts with collection of state and local taxes. 3§ '07 ch.206, 11 Mar.
- i Neb.** County attys., sheriff, police judge, mayor, police officer, police comr. or other officer who wilfully fails to enforce any law may be removed by quo warranto proceedings instituted by Atty. Gen. at direction of Gov. 2§ '07 ch.87, 3 Apr.
- j N. J.** Amdg. '03 ch.174 §11 rel. to certiorari: court to determine law and fact on review of *dismissal or reduction of person holding state or mun. position removable only for cause*. 1§ '07 ch.47, 12 Apr.
- k N. J.** Application for writ of certiorari to review street improvement or sewer assmts., to be made in 60 days. 2§ '07 ch.58, 13 Apr.
- n N. D.** Amdg. R.C.'05 §7225: refusal to modify or dissolve injunction may be appealed to Supreme Court. 1§ '07 ch.79, 19 Mar.
- p Tex.** Rel. to granting injunction by judge not resident of district; appeals. Amds. R.C.S.'95 art.2989. 4§ '07 ch.107, 16 Apr.
- q U.** Amdg. R.S.'98 §3630: certiorari from District Court to Justice Court where judgment taken on ex parte hearing or default. 1§ '07 ch.65, 14 Mar.

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## ADMINISTRATIVE LAW

This and Constitutional law, 15, make up what is commonly known as the Political Code

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## Finance. Public property

*See also* 2237, School finance; 2550, Local finance

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## Domain. Property

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### Public lands

*See also* 2240, School lands

- a Cal.** Amdg. P.C. §501 rel. to fees of Register of State Land Office. 1§ '07 ch.196, 12 Mar.
- b Cal.** Where contest instituted against entry of town site on public lands application may be filed in 6 years after final determination; application for deed by individuals within 1 year thereafter. Adds §24a to '08 ch.523. 1§ '07 ch.510, 23 Mar.
- c Col.** Directing Gov. to correspond with states containing public lands and suggest convention to discuss development thereof. '07 p.647, 2 Apr.
- d Fla.** Comr. of Agric. to keep records of office of former U. S. Surveyor Gen. 1§ '07 ch.16, 22 May
- e Id.** Land Comrs. may grant rights of way over state lands. Rep.'99 p.361. 2§ '07 p.310, 13 Mar.
- f Id.** Amdg. '05 p.132 §5: salary of Register of State Bd. of Land Comrs. \$2500 [\$2000]. 1§ '07 p.312, 13 Mar.
- g Kan.** Sale of islands in navigable streams for benefit of permanent school fund. 1§ '07 ch.378, 7 Mar.

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- h Mich.** Establishment of missing section corners and boundaries of certain unsurveyed lands. 4§ '07 ch.292, 27 June
- i Minn.** Providing for Clerk of Govt. Surveys in office of Sec. of State; salary \$1500; to have charge of records of office of U. S. Surveyor Gen. of state, now abolished. 2§ '07 ch.416, 25 Apr.
- j N. M.** Creating Comr. of Public Lands; appointed by Gov. and Council for 2 years; salary \$2500; to have charge of land office; regulations for lease, sale and management; disposition of funds. Rep. '99 ch.74; '01 ch.69; '03 ch.78, 81; '05 ch.90, 111. 40§ '07 ch.104, 21 Mar.
- k Or.** Gov. to be Land Comr. to select lands allotted state by U. S.; creating State Land Agent to ascertain and satisfy land losses through U. S.; classification of state lands; Gov., Sec. of State and State Treasurer to constitute State Land Bd. to sell and lease state lands. Rep. Am. C. & S. §3294-3330; '03 p.308; '03 p.21. 51§ '07 ch.117, 23 Feb.
- n S. D.** Comr. of School and Public Lands may sell pine on such lands under direction of Bd. of School and Public Lands; for benefit of permanent school fund. 5§ '07 ch.224, 25 Feb.
- p S. D.** Amdg. P.C. §393 rel. to fees derived from sale and lease of school and public lands: to be credited to *interest and income* [gen.] fund of class from which derived. 2§ '07 ch.225, 6 Mar.
- q S. D.** Indemnity, common school and endowment lands to be classified as agric., timber and grazing; 50,000 acres to be sold annually till  $\frac{1}{4}$  disposed of. 4§ '07 ch.226, 6 Mar.
- r Tex.** Amdg. R.C.S.'95 art.2437, 2441; '05 ch.3 §10 rel. to fees of Comr. of Gen. Land Office. 2§ '07 ch.146, 19 Apr.
- s Tex.** Comr. of Gen. Land Office may survey public lands; coöperation with federal govt. 10§ '07 ch.147, 19 Apr.
- t U.** Amdg. '99 ch.64 §4 rel. to Land Comrs.: sec. of bd. to employ clerical help, subject to approval of bd.; may require bond of employee, state to pay expense. 1§ '07 ch.120, 23 Mar.
- u U.** Rel. to duties of Land Comrs.: to indorse thereon time of receipt of application, bid etc.; not to acquire public lands; not to contract with occupants after filing of prior application; application to lease; default; extension. Amds. '99 ch.64 §17, 28, 30 5§ '07 ch.164, 25 Mar.
- v Wash.** Bd. of State Land Comrs. to report to each session of Legis. suggestions for changes in laws rel. to public lands. 1§ '07 ch.114, 11 Mar.
- w Wash.** Appraisal of improvements on state land. 1§ '07 ch.115, 11 Mar.
- x Wash.** Comr. of Public Lands to give surety company bond for \$50,000, auditor and cashier of office for \$20,000; premiums to be paid by state. 2§ '07 ch.119, 11 Mar.
- y Wash.** Amdg. Ballinger's Ann. C.&S.'97 §2130: Bd. of State Land Comrs. to consist of Comr. of Public Lands, [Sec. of State, Supt. of Public Instruction], *Fire Warden and Forester and Bd. of Tax Comrs.* 1§ '07 ch.146, 12 Mar.

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- z Wash.** Procedure in condemnation of state land. 2§  
'07 ch.219, 16 Mar.
- za Wash.** Amdg. Ballinger's Ann. C.& S.'97 §2134-35, 2141-42, 2145-46, 2179, 2183, 2192 rel. to stat land. 9§  
'07 ch.256, 20 Mar.
- zb Wy.** Amdg. '03 ch.78 §9 rel to fees of State Bds. of Land Comrs. 1§  
'07 ch.95, 21 Feb.

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**Lease**

- a Id.** Land Comrs. may withdraw state land bordering on lake etc. from sale, and lease same in parcels. 1§  
'07 p.311, 13 Mar.

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**Sale. Settlement. Appraisal**

- a Ari.** Confirming sale by towns and cities of lands acquired under U.S., R.S. §2387. 2§  
'07 ch.6, 2 Mar.
- b Cal.** Amdg. P.C. §3415 rel. to contests of right to purchase state land: intervention of 3d party. 1§  
'07 ch.300, 18 Mar.
- c Minn.** Amdg. R.L.'05 §2409: minimum price of state land \$5 per acre plus cost of draining. 1§  
'07 ch.366, 23 Apr.
- d Mon.** Requesting Cong. to restrict use of water by Indians of Fort Belknap reservation and to open surplus land of Blackfoot reservation to settlement. '07 p.590, 26 Feb.
- e Mon.** Petitioning Cong. to open Fort Peck Indian reservation to settlement. '07 p.592, 4 Mar.
- f N. M.** Protesting to Sec. of Interior of U. S. against withholding certain agric. lands from entry. '07 p.309
- g N. D.** Referring to next Legis. amdt. to Const. 1889 §158: sale of school and public lands. 1§  
'07 p.454, 23 Mar.
- h Or.** Requesting Cong. to insure to settlers patent to public lands, and to open to settlement lands already surveyed.  
'07 p.513, 21 Feb.
- i Tex.** Amdg. '05 ch.103 §5, 6 rel. to sale etc. of lands belonging to public free school and asylum funds: transfers, forfeitures, reservations of mineral and gayule. Adds §6a-g. 10§  
'07 (ex. sess.) ch.20, 16 May
- j Wash.** Advertising sale of state land; leases to be made in same manner as sales. Amds. '07 ch.89 §14. 2§  
'07 ch.152, 13 Mar.
- k Wis.** Sale of public lands. Adds S.'98 §207-210. 5§  
'07 ch.143, 28 May
- n Wy.** Amdg. R.S.'99 §819 rel. to sale of state lands: may be sold by *bounds according to best interest of state* [subsections]; may be sold to aliens. §1  
'07 ch.12, 13 Feb.

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**Deeds. Titles**

- a Ark.** Requesting U. S. senators from state to endeavor to have patents issued for internal improvement lands allotted to state. 2§  
'07 p.1266, 2 Feb.
- b Id.** Urging Cong. to establish courts to try titles to public lands. '07 p.587, 7 Mar.
- c Minn.** Judge or town authorities holding title to land in trust under act of Cong. of May 23, 1854, to convey to persons entitled thereto; procedure. 18§  
'07 ch.210, 15 Apr.



## PUBLIC PROPERTY

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- d **Mo.** Amdg. R.S.'99 §9163: lists of homestead entries to be paid by state [ $\frac{1}{2}$  by state,  $\frac{1}{2}$  by county]. 1§ '07 p.391, 29 Mar.
- e **N. C.** Amdg. Revisal '05 §1709 rel. to entries for land grants: both parties to give bond when protest filed. 1§ '07 ch.66, 30 Jan.
- f **N. D.** Sec. of State to receive and preserve U. S. land survey records. 3§ '07 ch.245, 13 Mar.
- g **U.** Sec. of State to file county recorders' transcripts of lists of public lands conveyed to state by U. S. 4§ '07 ch.163, 25 Mar.

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### Mineral

- a **Minn.** Giving holder of mineral permit on former state land right of entry on payment of damages to owner. 2§ '07 ch.411, 25 Apr.
- b **Nev.** Constituting Atty. Gen. Mineral Land Comr.; to contest applications for patents of public lands, except mining claims, containing valuable minerals. 7§ '07 ch.20, 26 Feb.
- c **Nev.** Requesting Cong. to open unimproved lands to prospectors. '07 p.449, 29 Mar.
- d **Tenn.** Prison Comrs. to develop "Herbert Domain" for coal mining and farming purposes with convict labor. 6§ '07 ch.430, 13 Apr.
- e **U.** Requesting President Roosevelt to rescind order withdrawing coal lands from entry. '07 p.269, 16 Feb.
- f **Wash.** County may lease, with or without option to purchase, mining claims acquired through nonpayment of taxes. 3§ '07 ch.38, 25 Feb.
- g **Wy.** Providing for prospecting and development of coal and mineral lands belonging to state under leases issued by State Bds. of Land Comrs. Rep. '03 ch.85. 10§ '07 ch.81, 20 Feb.

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### Tide, shore and swamp lands

- a **Cal.** Sale of land uncovered by recession of waters of lake and unsegregated swamp lands; application to Surveyor Gen.; \$2.50 per acre; reclamation. Adds §3493m-t to P.C. 8§ '07 ch.454, 21 Mar.
- b **Ind.** Owners of land on Lake Michigan may fill in to dock line established by U. S. and improve same; survey; patent; fee \$25 per acre. 3§ '07 ch.91, 2 Mar.
- c **Ia.** Amdg. '04 ch.186 §1: Executive Council may grant authority to construct canals between meandered lakes. 1§ '07 ch.196, 4 Apr.
- d: **N. J.** Atty. Gen. may bring suit in chancery to determine title to riparian lands and lands under water in which state claims remainder or reversion; procedure. 6§ '07 ch.42, 12 Apr.

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### Timber

- a **Id.** Conditions of sale of timber on state land. 6§ '07 p.193, 12 Mar.
- b **Wash.** Giving purchaser of timber on state land 5 years to remove; Comr. of Public Lands may give 2 years extension. 1§ '07 ch.255, 20 Mar.

**779 Buildings. Property and supplies**

**780 Buildings and grounds**

- a **Ind.** Prohibiting trespassing on grounds of state buildings. 1§  
'07 ch.139, 9 Mar.
- b **Mo.** Msdr. for comn. to exceed appropriation in contract for public building. 2§  
'07 p.386, 30 Mar.
- c **N. M.** Creating Capitol Improvement Bd.; to enlarge Capitol and erect executive mansion; bond issue \$50,000. 10§  
'07 ch.67, 21 Mar.
- d **Pa.** Creating Supt. of Public Grounds and Buildings and abolishing present office; appointed by Gov. and Senate for 4 years; salary \$5000; duties. 7§  
'07 ch.248, 31 May

**781 Capitol**

- a **Ark.** Joint committee on State Capitol directed to investigate charges of fraud. 2§  
'07 p.1270, 12 Feb.
- b **Ark.** Land adjacent to new State Capitol to remain property of state. Rep. '03 ch.146. 3§  
'07 ch.310, 13 May
- c **Cal.** Amdg. P.C. §386: Gov.'s executive sec. to receive \$600 additional salary as sec. of Bd. of State Capitol Comrs. 1§  
'07 ch.180, 11 Mar.
- d **Ct.** Hight of buildings adjacent to Capitol limited to 90 feet. 2§  
'07 ch.186, 27 June
- e **Del.** Joint legis. committee of 5 to investigate advisability of erecting new State House and cost and location thereof. 1§  
'07 ch.258, 31 Jan.
- f **Kan.** Amdg. '05 ch.488 §18 rel. to employees under custodian of State House; salaries. 2§  
'07 ch.398, 11 Mar.
- g **Mass.** Comn. of 5 members, consisting of president of Senate and 1 senator, speaker of House and 1 member, and 1 person to be appointed by the Gov. to devise and report plans for extension of State House. 1§  
'07 ch.545, 21 June
- h **Minn.** Payment of certificates of indebtedness. 2§  
'07 ch.143, 10 Apr.
- i **Minn.** Creating Capitol Grounds Comn.: 3 members appointed by Gov., latter ex officio; to extend and beautify Capitol grounds. 5§  
'07 ch.281, 22 Apr.
- j **Mon.** National flag to be displayed on Capitol grounds on days when weather permits. 4§  
'07 ch.157, 7 Mar.
- k **Pa.** Committee of 3 senators and 4 representatives to investigate charges of irregularity in expenditure of moneys in connection with construction and furnishing of new Capitol. '07 p.801, 30 Jan.
- n **Pa.** Directing display of national and state flags from Capitol. '07 p.806, 4 Mar.
- p **R. I.** Rep. '01 ch.821 rel. to maintenance of public offices in new State House. 1§  
'07 ch.1459, 23 Apr.
- q **S. C.** Creating Comn. on State House and Grounds to beautify grounds and repair walks about the State House; \$15,000 appropriation. 11§  
'07 ch.250, 18 Feb.

## PUBLIC PROPERTY

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- r **S. D.** Amdg. '05 ch.163 §1-5 rel. to construction of new Capitol: *fire proof; materials from state; cost \$600,000 [\$150,000]; registration, interest on and payment of warrants; report Oct. 30, 1910.* 2§  
'07 ch.83, 15 Feb.
- s **Vt.** Bd. of Health to investigate ventilation of Senate and House; sergeant at arms to make alterations necessary.  
'06 ch.509, 19 Dec.
- t **Wis.** Heat, light, water and power plant for new Capitol; storage building; marble or granite to be used on exterior of Capitol. Adds '05 ch.516 §6m, 9m. 2§  
'07 ch.19, 20 Mar.
- u **Wis.** Amdg. S.'98 §4444 rel. to injuries to Capitol park. 1§  
'07 ch.94, 10 May
- v **Wis.** Annual appropriation of \$600,000 for 9 years to construct Capitol; directions to comm. to proceed with work. 4§  
'07 ch.537, 10 July

782

### *Executive mansion*

- a **Cal.** Creating Gov.'s residence fund for servants employed by him; annual appropriation not to exceed \$3350. 1§ '07 ch.182, 11 Mar.
- b **Nev.** Erection of executive mansion at Carson City; \$40,000. 8§  
'07 ch.33, 5 Mar.
- c **N. M.** Capitol Improvement Bd. to erect executive mansion. 10§  
'07 ch.67, 21 Mar.
- d **Tenn.** Comm. to consist of Gov., senator and representative to erect Gov.'s mansion; \$35,000. 5§  
'07 ch.38, 14 Feb.
- e **Wash.** Creating State Building Comm. to consist of Gov., State Treasurer and State Auditor to erect executive mansion: \$35,000. 8§  
'07 ch.49, 28 Feb.

784

### **Property and supplies generally**

785

### *Acceptance of grants and bequests*

- a **Cal.** State Treasurer may receive donations; to be applied to special fund if designated, otherwise common school fund. Adds §453a to P.C. 1§  
'07 ch.313, 18 Mar.
- b **Vt.** State may accept gifts; Gov. to execute instrument. 2§  
'06 ch.227, 7 Dec.

787

### *Contracts and supplies*

- a **Del.** Amdg. '05 ch.82 §3 rel. to advertising for bids for state supplies. 2§  
'07 ch.117, 9 Mar.
- b **N. J.** Building and supply contracts of over \$500, involving expenditure of state funds, to be let to lowest responsible bidder; advertising; bond; penalty. 2§  
'07 ch.277, 28 Oct.
- c **Tex.** Submitting amdt. to Const. 1876 art.16 §21: printing, stationery, etc. for depts. to be supplied as provided by law. 4§. Rejected Aug. 1907.  
'07 p.416
- d **Vt.** Sergeant at arms to be custodian and distributor of office supplies; purchases to be authorized by Auditor of Accounts. Rep. S. 5341. 4§  
'06 ch.12, 19 Dec.
- e **Vt.** Amdg. '98 ch.136 §2 rel. to stationery and office supplies of state officers. 2§  
'06 ch.218, 19 Dec.

790

*State institutions*

- a **Kan.** Recovery by Atty. Gen. for coal shipped by State Penitentiary to a state institution and lost in transit. 1§ '07 ch.284, 9 Mar.
- b **Mass.** Advances of money to officers of certain state institutions; amounts; bonds. 1§ '07 ch.466, 29 May
- c **Mass.** Preliminary plans, specifications and 1 reliable estimate of cost of construction or alteration of institution to be submitted to state bd. in charge in Nov. before Legis. to be petitioned for appropriation; bd. may employ experts and modify such plans etc. 5§ '07 ch.520, 15 June
- d **Neb.** Proceeds from sale of property by state institution to be deposited with State Treasurer for use of such institution. 2§ '07 ch.144, 4 Apr.
- e **N. D.** Managers of state institutions to make and transmit to Gov. annual inventory of property. 1§ '07 ch.235, 8 Mar.
- f **Vt.** Supplies for state institutions to be purchased by governing bd. where over \$500 [\$200] by advertising for bids; procedure; *may also purchase in such manner as Gov. approves in writing.* Rep. '04 ch.161 §2. 2§ '06 ch.193, 18 Dec.
- g **Wis.** Amdg. S.'98 §607 rel. to condemnation of land for state institutions: bd. may discontinue proceedings if dissatisfied with price fixed by comm. or jury. 1§ '07 ch.290, 20 June

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**Public records. Preservation**

- a **Ct.** Gov. to appoint temporary Examiner of Public Records; to hold office till July 1, 1909; salary \$2000; to see that records are kept according to law and properly preserved; report to Gov. Jan. 15, 1909. 4§ '07 ch.131, 14 June

793

**Public works**

- a **Cal.** Amdg. '76 ch.325 §1-7, 12 rel. to contracts for public work: duties of State Engineer. 8§ '07 ch.185, 11 Mar.
- b **Minn.** Amdg. R.L.'05 §4536 rel. to bond of contractor on public work. 1§ '07 ch.380, 24 Apr.

795

**State departments**

- a **Fla.** Joint legis. committee of 7 to investigate affairs of Trustees of Internal Improvement Fund; \$10,000. 8§ '07 ch.37, 31 May

796

*State engineer. Surveyor*

- a **Cal.** Creating State Engineer, appointed by Gov. and Senate; term 4 years; salary \$4800; and Dept. of Engineering to consist of Gov., State Engineer, Gen. Supt. of State Hospitals and Chairman of State Bd. of Harbor Comrs. of San Francisco; supervision of all public works of state. Rep. '93 ch.228; '97 ch.114, 245, 272; '00 ch.12. 26§ '07 ch.183, 11 Mar.
- b **Id.** Amdg. '99 p.282 §5: salary of State Engineer \$2500 [\$2000]; expenses not to exceed \$1000 [\$500]. 1§ '07 p.311, 13 Mar.

## TAXATION

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- c **N. Y.** Amdg. executive law '92 ch.683 §61: salary of deputy State Engineer \$5000 [\$4000]. 1§ '07 ch.586, 15 July
- d **Vt.** Preparation and publication of index of Surveyor Gen.'s papers. 2§ '06 ch.221, 6 Dec.

798

### State parks

*See also 1894, Forest preserve; 2369, Scenic and historic places*

- a **Wis.** Creating State Park Bd.: 3 members, appointed by Gov.; term 6 years; gen. supervision of state parks, to report before session on acquiring new parks and places of historical interest and natural beauty. Adds S.'98 §1494t subdiv. 1-5. 6§ '07 ch.495, 9 July

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## Taxation (general)

Relating chiefly to general property taxes. Under local finance are placed only those tax laws which *strictly* belong there, as limitations of rates, etc. State and local taxes are usually collected together by local authorities; hence a separation would be confusing. *See also 2713, Road taxes*

- a **Ala.** Creating State Tax Comn.; 3 members, appointed by Gov. for 4 years; salary of chairman \$3000, of others \$2400; office of State Tax Comr. abolished; gen. control of assmt. and collection of taxes. 17§ '07 p.425, 7 Mar.
- b **Ala.** Taxation in gen. Amds. C.'96 §3911 subdiv.7, 8, 9, §3912, 4122 subdiv.15, 40, 44, 46, 56½, 79, 82. 26§ '07 p.455, 7 Mar.
- c **Cal.** Amdg. P. C. §3627, 3651, 3664-66, 3671, 3678, 3692, 3695, 3699-3702, 3738, 3897-98 rel. to assmt., equalization and collection of taxes. 16§ '07 ch.368, 19 Mar.
- d **Ct.** Reports rel. to taxation and mun. indebtedness now made to Comptroller by treasurers, town clerk and corporations, to be made to Tax Comr.; latter to report to Bd. of Equalization. 3§ '07 ch.204, 11 July
- e **Del.** Creating State Revenue and Taxation Comn. to consist of 3 representatives, 3 senators and 3 appointees of Gov.; \$5 per diem; to investigate state revenue; report next session; \$1500. 4§ '07 ch.115, 29 Mar.
- f **Fla.** Assmt. and collection of taxes. 66§ '07 ch.1, 18 June
- g **Ind.** Creating State Bd. of Tax Comrs. consisting of 3 appointive members and Sec. of State and Auditor of State; to assess certain properties; review; certain transmission companies to report value of stock annually to Auditor of State. Rep. sundry laws. 7§ '07 ch.93, 2 Mar.
- h **Kan.** Creating Tax Comn., to succeed Bd. of Railroad Assessors and State Bd. of Equalization; and amdg. G.S.'01 §7503-4, 7550-7609. 40§ '07 ch.408, 6 Mar.
- i **Me.** Comn. of 5, appointed by Gov. and Council; to investigate assmt. and collection of taxes and recommend better system. '07 r.108, 13 Mar.
- j **Me.** Bd. of State Assessors, under direction of Gov. and Council, to investigate ownership and value of wild lands; \$2500. '07 r.242, 28 Mar.

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- k** **Mass.** Providing for printing 2500 copies of report of joint special committee to revise tax laws; distribution. '07 r.14, 21 Feb.
- n** **Mass.** Establishing basis of apportionment of state and county taxes. 2§ '07 ch.239, 25 Mar.
- p** **Mass.** Amdg. R.L. ch.14 §1, 2 rel. to Tax Comr. and assistants. 2§ '07 ch.564, 28 June
- q** **Mass.** Comn. to consist of 2 senators, 4 representatives and 3 experts appointed by Gov. to investigate whole subject of taxation; report by Dec. 1907. '07 r.129, 28 June
- r** **Minn.** Submitting amdt. to Const. 1857 by substituting 1§ for art.9 §1-4 rel. to taxation. 3§ Vote Nov. 1908. '07 ch.477, 20 Apr.
- s** **Minn.** Creating Minn. Tax Comn.: 3 members appointed by Gov., term 6 years, salary \$4500; gen. supervision of state and local taxation. 18§ '07 ch.408, 25 Apr.
- t** **Minn.** County auditor to furnish certified statement of tax liens and sales on request. 2§ '07 ch.431, 25 Apr.
- u** **Mo.** Amdg. R.S.'99 §10316 rel. to levy and collection of taxes in county adopting township organization. Adds §10316a. 2§ '07 p.447, 19 Mar.
- v** **Nev.** Annual levy 70c on \$100; how apportioned. 1§ '07 ch.111, 22 Mar.
- w** **Nev.** Referring to Legis. 1909 amdt. to Const. 1864 art.10 §1 rel. to taxation: patented mines to be taxed; when mortgage taxed assessed value of property encumbered to be reduced proportionately. 1§ '07 p.452, 29 Mar.
- x** **N. H.** Comn. of 3, appointed by Gov. and Council, to investigate equalization of taxes and additional sources of income; report at next session. 6§ '07 ch.92, 26 Mar.
- y** **N. Y.** Official seal for State Bd. of Tax Comrs. Adds §170a to tax law '96 ch.908. 1§ '07 ch.94, 3 Apr.
- z** **N. C.** Amdg. '05 ch.590 §6: duties of Bd. of Tax Comrs. 1§ '07 ch.258, 11 Mar.
- za** **Or.** More efficient system of levy and collection of taxes. Rep. Ann. C. & S. §3083-3158; '03 p.4 §4-12; '05 ch.7, 53, 145, 156, 162, 183. 80§ '07 ch.267, 28 Feb.
- zb** **S. D.** Submitting amdt. to Const. 1889 art.11: annual levy; graduated inheritance and income taxes. 1§ Vote Nov. 1908. '07 ch.96
- zc** **Tenn.** Declaring unconst. '03 ch.258 so far as it exempts from taxation growing crops and articles manufactured from produce of state in hands of manufacturer. Violates commerce clause of U. S. Const. as discriminating against property brought into state.  
Darnell & Son v. Memphis 208 U. S. 113 (1908)
- zd** **Tenn.** Gen. tax law. 20§ '07 ch.541, 15 Apr.
- ze** **Tenn.** "An act to provide more just and equitable laws for the assmt. and collection of revenue . . ." 80§ '07 ch.602, 15 Apr.
- zf** **Tex.** Constituting Gov., Comptroller of Public Accounts and Treasurer bd. to calculate ad valorem taxes for state purposes; method. 4§ '07 ch.98, 15 Apr.  
Amended. 5§ '07 (ex. sess.) ch.13, 16 May

## TAXATION

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- zg U. Submitting amdt. to Const. 1895 art.13 §7: tax rate not to exceed 8 mills, *4 1/2 for gen. purposes, 3 for district schools, 1/2 for high schools.* 3§. Vote Nov. 1908. '07 p.272
- zh Vt. Comm. to investigate taxation; 6 members appointed by Gov.; bipartisan; report June 1908. '06 ch.501, 19 Dec.
- zi Wash. Submitting amdt. to Const. 1889 art.7 §1-4 rel. to taxation, by substituting 1§. 3§. Vote Nov. 1908. '07 ch.67, 5 Mar.
- zj Wash. Amdg. '05 ch.115 §2, 6 rel. to State Bd. of Tax Comrs.: summons; witnesses; sec.; clerks; to compile tax laws. Adds §7. 3§ '07 ch.220, 16 Mar.

807

### Separation of state and local taxation

- a Cal. Submitting amdt. to Const. 1879 art.13 §1, 9-11: separation of state and local taxation. Adds §14, 15; rep. art.11 §10. 7§. Vote Nov. 1908. '07 p.1353, 9 Mar.
- b Mo. Submitting amdt. to Const. 1875 adding 7§ to art.10 rel. to separation of state and local revenues. 7§. Vote Nov. 1908. '07 p.460

808

### Taxation of personal property

*See also 823, Assessment*

- a Ind. Rep. '91 ch.99 §27 rel. to taxation of mortgaged personality. 1§ '07 ch.25, 21 Feb.
- b N. D. Taxation of grain. 5§ '07 ch.217, 8 Mar.

809

### Money and securities

Laws relating to assessment included. *See also 841, Corporation taxes*

- a Ala. Making subject to taxation money lent, solvent credits, credits of value, and moneyed capital. 1§ '07 p.318, 4 Mar.
- b Ari. Amdg. R.S.'01 §3834 subdiv.6 exempting from taxation property of *resident* widows or orphans to amount of \$1000. 2§ '07 ch.59, 21 Mar.
- c Vt. Taxing bank deposits of over \$2000 [\$1500]; penalty for false statement by depositor of amount of deposits. Amds. '02 ch.20 §41, S. §374 subdiv.8, §375, 399, 411-13, 4081. 8§ '06 ch.28, 14 Nov.
- d Vt. Tax on interest bearing deposits in national banks of 7/20 of 1%; bank may deduct tax from interest and pay in behalf of depositor. Amds. S. §374 subdiv.8 §399, 411, 412. 21§ '06 ch.41, 13 Dec.

810

### Exemption from general property tax

*See also under special classes of taxes; also 1633, Encouragement of industries*

- a Ala. To encourage manufacture of lime nitrogen by exemption from taxation for 10 years. 1§ '07 p.519, 27 July
- aa Ala. To encourage development of unused water power by exempting hydro-electric power corporations from taxation for 10 years. 1§ '07 p.520, 27 July
- ab Ala. Exempting from taxation for 10 years property devoted to manufacture of devices for protection of human life. 2§ '07 p.785, 9 Aug.

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- ac Ari.** Dams, hereafter constructed, for irrigating, watering stock, mining and generating electricity exempt from taxation for next 10 years. 5§ '07 ch.92, 21 Mar.
- b Ill.** Declaring unconst. '05 p.357 §2 ¶11 exempting funds of fraternal beneficiary societies from taxation. Exemption not authorized by art.9 §1 of Const.  
Supreme Lodge M. A. F. O. v. Bd. of Review 79 N. E. 23 (1906)
- c Ky.** Declaring unconst. S.'03 §4088 so far as it exempts from taxation shares of corp. paying taxes only on property within state. Nonuniform. Commonwealth v. Walsh's Trustee 106 S. W. 240 (1907)
- d Mo.** Amdg. R.S.'99 §5216: burial ground not exempt from special assmt. levied by city. 1§ '07 p.86, 6 Apr.
- e N. H.** Municipality may exempt from taxation its bonds when owned by its citizens. 1§ '07 ch.55, 13 Mar.
- f N. Y.** Amdg. tax law '96 ch.908 §4 subdiv.3 rel. to exemption of cemetery property. 1§ '07 ch.725, 24 July
- g N. Y.** Amdg. tax law '96 ch.908 §24, 202: shares of bank stock not exempt from taxation. 2§ '07 ch.739, 25 July
- h Vt.** Amdg. '02 ch.13 §1: bonds of municipalities school and fire districts bearing interest at 3 1/2% [3%] for building public works to be exempt from taxation. 1§ '06 ch.25, 19 Dec.

**812 Charitable, educational and religious institutions and societies**

- a Ala.** Amdg. C.'96 §3907 rel. to property exempt from taxation: that used in maintenance and education of young men preparing for ministry, to value of \$2500, included. 1§ '07 p.483, 17 July
- aa Ala.** Exempting Ala. State Fair Association and persons conducting business on grounds from taxation. 2§ '07 p.541, 2 Aug.
- ab Ala.** Exempting from taxation Ala. Agric. Association and persons conducting business on its grounds during fair. 2§ '07 p.561, 6 Aug.
- ac Col.** Exempting from taxation dwelling of minister or priest, to value of \$3000. 1§ '07 ch.232, 9 Apr.
- b Fla.** Exempting property of Young Men's Christian Association from taxation. 1§ '07 ch.129, 21 May
- c Ind.** Exempting from taxation building and grounds of association engaged in dispensing free medicine and medical advice, whose realty was acquired by devise. 2§ '07 ch.114, 8 Mar.
- d Ia.** Amdg. C. §1304: real estate, part of endowment of educational institution, exempt from taxation. 1§ '07 ch.54, 1 Apr.
- e N. Y.** Authorizing exemption from taxation in city of 1st class of academy of music erected by popular subscription and not having earned net income in previous year. Adds tax law '96 ch.908 §7a. 1§ '07 ch.478, 11 June
- f N. Y.** Amdg. tax law '96 ch.908 §4 subdiv.7: portion of real estate of public library in village of 3d or 4th class used for purposes of income exempt from taxation if income applied to maintenance. 1§ '07 ch.693, 22 July



## TAXATION

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- g **N. D.** Amdg. P.C.'05 §1484 rel. to property exempt from taxation: *churches and hospitals used wholly or partly for public charity* included. 1§ '07 ch.218, 13 Mar.
- h **N. D.** Referring to next Legis. amdt. to Const. 1889 §170: Legis. may impose income tax; may exempt from taxation fraternal societies and hospitals used wholly or partly for public charity. 1§ '07 p.455, 23 Mar.
- i **Tex.** Amdg. R.C.S.'95 art.5065 subdiv. 1: property purchased by educational and religious institutions under foreclosure exempt from taxation for 2 years. 1§ '07 ch.159, 23 Apr.
- j **Vt.** Young Men's Christian Association buildings exempted from taxation. Supplements S. §362. 1§ '06 ch.23, 6 Dec.
- k **Vt.** Exempting property of college fraternities and societies from taxation. 1§ '06 ch.27, 6 Dec.
- n **Vt.** Minor amdt. of S. §362 subdiv.7 rel. to exemptions from taxation. 1§ '06 ch.24, 14 Dec.
- p **Vt.** Exempting on vote of town realty of charitable and fraternal associations to amount of \$10,000 from taxation, where \$2000 has been expended for improvements. 1§ '06 ch.26
- q **W. Va.** Amdg. C. ch.29 §57: property of college society exempted from taxation. 1§ '07 ch.75, 20 Feb.
- r **Wis.** Exempting from taxation land, not exceeding 10 acres, without city or village, used by religious or educational corp. for assemblies; privilege to cease on division of profits. Adds S.'98 §1038 subdiv.39. 1§ '07 ch.543, 9 July

814

### Firemen and firemen's organizations

- a **S. D.** Exempting from road poll tax volunteer firemen and those having served as such 10 years. 3§ '07 ch.69, 25 Feb.
- b **Wy.** Exempting firemen and wives from poll tax. 1§ '07 ch.94, 21 Feb.

816

### Veterans and veterans organizations

- a **Id.** Amdg. '01 p.234 §2: property of veteran of Civil War exempt from taxation to amount of \$1000 where total asmt. under \$5000. 2§ '07 p.176, 13 Mar.
- b **Me.** Amdg. '05 ch.163 §1: veterans of War of Rebellion [as assessed at less than \$500] exempt from poll tax. 1§ '07 ch.20, 19 Feb.
- c **Mass.** Amdg. '06 ch.315 §1 rel. to exemption from taxation of veterans of Civil War. 1§ '07 ch.367, 3 May
- d **N. H.** Amdg. P.S. ch.56 §4: veterans of Civil War and wives or widows exempt from taxation on property to amount of \$1000; provided do not own property worth \$3000. 1§ '07 ch.95, 28 Mar.

819

## Assessment

- a **Ari.** Compensation and appointment of deputy assessors in certain counties. 2§ '07 ch.61, 21 Mar.
- b **Ari.** Amdg. R.S.'01 §1053, 2618-19: supervisors may remove county assessors subject to appeal to District Court; suspension pending appeal; salaries; in 3d, 4th, 5th, 6th class counties to retain 5% of taxes collected on personal property in addition to salary. 4§ '07 ch.73, 21 Mar.

819

- c Ark. Records and tax books for county having 2 county sites.  
7§ '07 ch.190, 17 Apr.
- d Cal. Amdg. P.C. §3881 rel. to correction of errors in assmt.  
books: where tax is increased thereby taxpayer to have 5 days notice  
to object before supervisors; decision of latter conclusive. 1§  
'07 ch.411, 21 Mar.
- e Col. Amdg. Ann. S.'91 §1936t rel. to compensation of county  
assessors: in county of 5th class \$1000 [\$800]. 2§ '07 ch.181, 9 Apr.
- f Col. Amdg. '02 ch.3 §119 rel. to contents of assmt. roll. 1§  
'07 ch.213, 9 Apr.
- g Id. Submitting amdt. to Const. 1889 art.18 §6: county comrs.  
may authorize deputy assessors and tax collectors. 3§. Vote Nov.  
1908. '07 p.585, 6 Mar.
- h Ill. Amdg. '98 p.34 §29 rel. to publication of assmt. lists. 1§  
'07 p.499, 24 May
- i Me. Employer of more than 25 men to furnish list thereof to  
assessors on request; penalty. 1§ '07 ch.141, 26 Mar.
- j Mass. Amdg. R.L. ch.12 §58 rel. to form of assessors' lists. 1§  
'07 ch.181, 8 Mar.
- k Mich. Amdg. C.L.'97 §3837: estate in hands of executor, admin-  
istrator or trustee appointed by will to be assessed in township where  
deceased dwelt. 1§ '07 ch.129, 5 June
- n Mich. Amdg. C.L.'97 §3847, 3852-53: assmt. rolls to be com-  
pleted 1st [3d] Monday in June [May]; bd. of review to meet 1st  
[3d] Monday in June [May] and 2d [4th] Monday in June [May].  
3§ '07 ch.326, 28 June
- p Minn. County auditor to issue certificate to assessor on return  
of assmt. books; assessor to file same with county clerk before receiv-  
ing compensation. 2§ '07 ch.87, 3 Apr.
- q Mon. Submitting amdt. to Const. 1889 art.12 §9 rel. to rate of  
tax levy. 3§. Vote Nov. 1908. '07 ch.154, 7 Mar.
- r N. H. Bd. of assessors for city of Portsmouth. 11§  
'07 ch.207, 27 Feb.
- s Or. Property subject to and exempt from taxation; mode of  
making assmt. by county assessors; requiring persons and corporations  
to furnish list of their property liable to taxation; penalty. Amds.  
Ann. C. & S. §3037-40, 3045-46, 3048-49, 3057-58, 3061-62, 3069-71, 3073-  
78; '03 p.262 §56, p.286 §1. Rep. Ann. C. & S. §2709-10, 3041-42, 3044,  
3059. 40§ '07 ch.268, 28 Feb.
- t S. D. Amdg. P.C. §1234, 1236: city assessor appointed by mayor  
and council [elected]. 2§ '07 ch.87, 6 Mar.
- u Tex. Amdg. R.C.S.'95 art.5123-24 rel. to listing and valuation of  
property for taxation. Adds art.5124a-g. 8§  
'07 (ex. sess.) ch.11, 16 May
- v U. Amdg. R.S.'98 §2516, 2547: county assessor required to in-  
spect all property assessed. 2§ '07 ch.47, 14 Mar.
- w Vt. Amdg. S. §424 rel. to return of inventories of taxable prop-  
erty. 1§ '06 ch.31, 7 Dec.

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- x** **Vt.** Standing timber sold without the land to be taxed separately; no deductions for debts owing. 2§ '06 ch.22, 14 Dec.
- z** **Vt.** Amdg. S. §674, 734, 3083, 3433 and '02 ch.18 §1 rel. to voting and assessing of taxes for schools and highway repair. 5§ '06 ch.35, 15 Dec.
- za** **Wash.** Leases and timber owned separately from land to be assessed as personalty; lumber and saw logs to be assessed in district where situated on Mar. 1. 3§ '07 ch.108, 11 Mar.
- zb** **W. Va.** Amdg. sundry sections of C. ch.29 rel. to assmt. of taxes. 42§ '07 ch.80, 22 Feb.
- zc** **W. Va.** Amdg. C. ch.29 §53, 79 rel. to assmt. of taxes. 2§ '07 (ex. sess.) ch.15, 6 Mar.
- zd** **Wis.** Amdg. S.'98 §925 subdiv. 139, §1060, 1062 rel. to bds. of review and duties of assessors. 4§ '07 ch.371, 24 June
- ze** **Wis.** Amdg. S.'98 §772c, 772l rel. to compensation of county supervisor of assmt. 2§ '07 ch.510, 9 July

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**Real estate**

- a** **Ark.** Amdg. S.'04 §5677 rel. to duties of assessors: may correct description of land and railroad right of way and supply omissions. 2§ '07 ch.406, 28 May
- b** **Ct.** Land occupied by municipality without its limits for sewage disposal plant to be assessed in town where situated. 1§ '07 ch.247, 1 Aug.
- c** **Fla.** Assmt. and collection of taxes on land and turpentine and timber rights thereon. 1§ '07 ch.130
- d** **Me.** Registers of deeds to send certified copy of record of transfer of wild lands within 10 days to Bd. of State Assessors. 3§ '07 ch.93, 20 Mar.
- e** **Mass.** City collector of taxes to furnish statement of taxes and assmts. on real estate on request. 2§ '07 ch.378, 6 May
- f** **N. J.** Street number to be given in assmts. 1§ '07 ch.212, 15 May
- g** **U.** Amdg. R.S.'98 §2597: lien of tax on real estate to attach 2d [1st] Monday in Jan. [Feb.]. 1§ '07 ch.2, 7 Feb.
- h** **U.** Amdg. '99 ch.43 §1 rel. to ownership maps delivered to county assessors. 1§ '07 ch.142, 25 Mar.
- i** **Vt.** Amdg. S. §392, 394 rel. to appraisal of realty; grievance days; appeals. 4§ '06 ch.29, 21 Nov.
- j** **Vt.** Amdg. S. §418 rel. to grand lists. 1§ '06 ch.30, 12 Dec.
- k** **Wash.** Amdg. Ballinger's Ann. C.& S.'97 §1263: plat filed before May 31 and after Mar. 1 to be assessed as of latter date. 1§ '07 ch.44, 26 Feb.
- n** **Wis.** Amdg. S.'98 § 1052 rel. to assmt. of real estate: valuation of unascertained mineral deposits. 1§ '07 ch.520, 9 July
- p** **Wis.** Tax Comn. to collect statistics of sales and assmt. of real estate. Adds S.'98 §1007-9; rep. 1007, 1007a, 1008-9. 4§ '07 ch.522, 9 July

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**Personal property**

- a **Ark.** Assessor with whom statement of personal property of corp. filed to certify same to assessor of county where located. Amds. S.'04 §6936. 3§ '07 ch.451, 29 May
- b **Vt.** Automobiles and motor boats to be taxed for value above \$100. 1§ '06 ch.21, 15 Dec.
- c **Wash.** Amdg. '97 ch.83 §3 rel. to assmt. of personal property: further exemptions; no deductions for indebtedness. 1§ '07 ch.48, 28 Feb.
- d **Wis.** Motor vehicles to be assessed. Adds S.'98 §1050 subdiv. 16a. 1§ '07 ch.436, 27 June

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**Domestic animals**

Taxation and assessment. *See also* 1889, Dog tax

- a **Ari.** Amdg. R.S.'01 §3855 rel. to taxation of transient sheep and goats: affidavit of owners as to counties ranged; apportionment among counties. 1§ '07 ch.93, 21 Mar.
- b **Mon.** Rep. P.C. §2990, 3016, 3046, 3076 rel. to special taxes on cattle, horses etc. 1§ '07 ch.172, 8 Mar.
- c **N. H.** Amdg. P.S. ch.55 §7 subdiv. 10: hogs over 6 months [1 year] old taxable. 1§ '07 ch.4, 20 Feb.
- d **N. M.** Taxation of sheep of nonresidents; assessors to distrain and sell for arrears. 2§ '07 ch.100, 21 Mar.
- e **Or.** Assmt. and apportionment among counties of tax on transient live stock; report by owners; penalty. 9§ '07 ch.264, 28 Feb.
- f **U.** Defining and classifying transient live stock, and providing for taxation of same. Rep. '01 ch.105. 14§ '07 ch.64, 14 Mar.

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**Review. Equalization. Adjustment**

For equalization by state boards *see* 800, Taxation (general)

- a **Cal.** Amdg. P.C. pt.2 t.1 rel. to political divisions: redefines equalization districts. 7§ '07 ch.334, 19 Mar.
- b **Del.** Bipartizan bd. of 2 in each hundred or assmt. district, for revision of assmts. 7§ '07 ch.57, 9 Apr.
- c **Fla.** Amdg. G.S.'06 §525-26 rel. to equalization by bd. of county comrs. of assmts. of real and personal property. 3§ '07 ch.10, 22 May
- d **Ga.** Declaring unconst. P.C. §804, 879 which deny to taxpayer right to hearing as to valuation of property not returned by him. Not due process of law.  
Central of Georgia Ry. v. Wright 207 U. S. 127 (1907)
- e **Ga.** Oath and powers of arbitrators of tax returns. 4§ '07 p.96, 8 Aug.
- f **Ill.** Amdg. '98 p.34 §30: appointment of clerk of bd. of review in counties of less than 125,000 population. 1§ '07 p.497, 13 May
- g **Ill.** Amdg. '98 p.34 §34, 38, 41, 50 rel. to time of meeting and adjournment of bds. of review & equalization. 4§ '07 p.495, 18 May
- h **Ill.** Amdg. '72 p.1, §116 rel. to salary and clerks of State Bd. of Equalization. 1§ '07 p.494, 4 June

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- i **Ia.** Amdg. C. §1373: any local officer or taxpayer may make complaint of assmt. before bd. of review and appeal from its action. 2§ '07 ch.60, 6 Apr.
- j **Kan.** Declaring unconst. '05 ch.3 which provides for appeal from county bd. of equalization to District Court. Confers administrative duties on court.  
Silven v. Bd. of Comrs. of Osage Co. 92 P. 604 (1907)
- k **Mich.** Amdg. C.L.'97 §2861 rel. to length of session of bds. of review. 1§ '07 ch.67, 25 Apr.
- n **Mich.** Amdg. C.L.'97 §3847, 3852-53: assmt. rolls to be completed 1st [3d] Monday in June [May]; bd. of review to meet 1st [3d] Monday in June [May] and 2d [4th] Monday in June [May]. 3§ '07 ch.326, 28 June
- p **Minn.** Constituting borough councils bds. of equalization. 2§ '07 ch.248, 19 Apr.
- q **Minn.** Amdg. R.L.'05 §859 rel. to equalization of assmts. 1§ '07 ch.460, 25 Apr.
- r **Mo.** Amdg. R.S.'99 §9136: members of county bd. of equalization to receive \$5 [§3] per day. 1§ '07 p.447, 7 Mar.
- s **N. Y.** Amdg. village law '97 ch.414 §105: copy of assmt. roll to be deposited with village clerk 5 days before grievance days. 1§ '07 ch.158, 16 Apr.
- t **N. C.** Establishing State Bd. of Equalization to consist of Gov., Lieut. Gov., Auditor, Sec. of State, Treasurer, Atty. Gen. and chairman of Corp. Comm.; to equalize assmt. of real estate; methods. 12§ '07 ch.261, 9 Mar.
- u **Or.** County judge, clerk and assessor to form bd. of equalization; procedure; appeals to Circuit Court. Rep. Ann. C.& S. §3079-83. 9§ '07 ch.266, 28 Feb.
- v **S. D.** Appeals from bds. of equalization to Circuit Court. 2§ '07 ch.124, 7 Mar.
- w **U.** Amdg. R.S.'98 §2050, 2583 rel. to salaries of certain state officers and duties of Bd. of Equalization. 2§ '07 ch.28, 11 Mar.
- x **Vt.** Listers, appellant and his atty. disqualified from serving on bd. hearing appeals. Amds. S. §429. 1§ '06 ch.32, 2 Nov.
- y **Vt.** Comm. of Gen. Assembly may examine tax inventories. Amds. S. §442. 1§ '06 ch.33, 19 Dec.
- z **Wash.** Amdg. Ballinger's Ann. C.& S.'97 §1714: county bd. of equalization to consist of comrs., *assessor and treasurer*. 1§ '07 ch.129, 12 Mar.
- za **Wash.** Amdg. Ballinger's Ann. C.& S.'97 §1716: State Bd. of Equalization to consist of *Auditor* [Sec. of State], *Comr. of Public Lands*, and *State Bd. Tax Comrs.*; duties. 1§ '07 ch.215, 16 Mar.
- zb **Wis.** Amdg. S.'98 §925 subdiv. 139 §1060, 1062 rel. to bds. of review and duties of assessors. 4§ '07 ch.371, 24 June
- zc **Wy.** Submitting amdt. to Const. 1889 art.15 §9: State Bd. of Equalization to consist of *chairmen of bds. of county comrs.* [State Auditor, Treasurer and Sec. of State.] Vote Nov. 1908. '07 p.194, 16 Feb.

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# Collection

- a Ala. Rep. '07 p.455 §22 which required State Auditor to furnish collectors with books of tax receipts. 1§ '07 p.583, 9 Aug.
- aa Ct. Amdg. G.S.'02 §2395 rel. to collection of poll and military taxes by imprisonment: county comrs. to pay amount of tax to collectors. 2§ '07 ch.50, 17 Apr.
- b Del. Creating Collector of State Revenue; appointed by Gov.; term 4 years; salary \$1200; to investigate statements as to property subject to taxation filed with clerk of peace. 6§ '07 ch.112, 21 Mar.
- c Id. Submitting amdt. to Const. 1889 art.18 §6: county comrs. may authorize deputy assessors and tax collectors. 3§. Vote Nov. 1908. '07 p.585, 6 Mar.
- d Ill. Amdg. '98 p.34 §52: county clerk to deliver tax books to collector Jan. 2 [10]. 1§ '07 p.500, 13 May
- e Ia. County treasurer may bring ordinary suit at law for collection of taxes. 2§ '07 ch.62, 10 Apr.
- f Mass. Allowing collector traveling expenses in making arrest. 1§ '07 ch.427, 16 May
- g Minn. Amdg. R.L.'05 §880: under direction of bd. county treasurer to visit different places for collection of taxes. 1§ '07 ch.400, 24 Apr.
- h Mo. Amdg. R.S.'99 §9206: bond of county collector to run 4 [2] years. 1§ '07 p.390, 26 Feb.
- i Mo. Amdg. R.S.'99 §10297 rel. to annual settlement of township collector. 1§ '07 p.448, 6 Mar.
- j Mon. Amdg. P.C. §4870 rel. to county treasurer: collection of taxes and sales for delinquent taxes. 2§ '07 ch.24, 20 Feb.
- k N. M. Employers to deduct poll and road taxes from wages when requested; penalty. 3§ '07 ch.96, 21 Mar.
- n Pa. On all claims due commonwealth collected by Atty. Gen. atty.'s fees in addition to 6% interest to be paid; rates. 3§ '07 ch.278, 1 June
- p Vt. Amdg. S. §481 rel. to collection of taxes. 1§ '06 ch.34, 2 Nov.
- q Wash. Enough of personal property about to be removed from state or dissipated to be distrained to pay taxes. 2§ '07 ch.29, 21 Feb.

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# Refund

- a Ala. Requiring refund of taxes erroneously paid or collected. 4§ '07 p.639, 16 Aug.
- aa Cal. Amdg. P.C. §3804 rel. to refund of taxes erroneously collected. 1§ '07 ch.412, 21 Mar.
- b Col. Amdg. '02 ch.3 §30 rel. to refund of taxes. 1§ '07 ch.214, 9 Apr.
- c Id. Amdg. '01 p.283 §149: county comrs. authorized to refund taxes erroneously paid. 1§ '07 p.344, 13 Mar.
- d Ind. Refund of taxes paid on realty lying in 2 localities and assessed for entire parcel in both. 1§ '07 ch.142, 9 Mar.

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- c **N. Y.** Conferring jurisdiction on Court of Claims to hear claims of counties containing municipalities bonded to aid railroad passing through for taxes paid by such railroad to state through county. 3§ '07 ch.237, 29 Apr.
- f **N. Y.** Amdg. tax law '96 ch.908 §256 rel. to refund of tax paid on erroneous assmt. 1§ '07 ch.721, 24 July
- g **W. Va.** Amdg. '05 ch.35 §100 rel. to collection of taxes: refund of overpayment. 1§ '07 ch.48, 25 Jan.

## 829 Delinquent taxes. Tax sales. Redemption

- a **Ari.** Procedure for tax suits and sales. Rep. R.S.'01 §575-80. 9§ '07 ch.94, 21 Mar.
- b **Cal.** Declaring unconst. '95 ch.218 rel. to redemption from tax sale in so far as retrospective. Makes redemption more difficult. Johnson v. Taylor 88 P. 903 (1907)
- c **Ct.** Collector within 30 days of filing certificate continuing tax lien on real estate to notify owner of record. 2§ '07 ch.266, 1 Aug.
- d **Fla.** Where land situated in more than 1 county is sold to state by one county and taxes are paid in other, tax sale certificate to be canceled. 1§ '07 ch.12, 3 June
- e **Ia.** Amdg. C. §1432-33: duplicate of lost tax sale certificate to be issued; assignment of such certificate to be entered in register of tax sales. 2§ '07 ch.61, 19 Mar.
- f **Kan.** Amdg. G.S.'01 §7727 rel. to leasing of lands held for taxes: lease not to be affected by redemption of lands by owner. 1§ '07 ch.414, 28 Feb.
- g **Me.** Amdg. R.S.'03 ch.10 §77 rel. to redemption of real property after sale for taxes: rate of interest 10% [20%]. 1§ '07 ch.18, 19 Feb.
- h **Me.** Sale of land for taxes in places of less than 15,000. 1§ '07 ch.72, 20 Mar.
- i **Me.** Amdg. R.S.'03 ch.10 §73: real estate to be sold for tax unpaid on 1st Mon. in Feb. [Dec. of following year]. Rep. '05 ch.178. 2§ '07 ch.173, 28 Mar.
- j **Me.** Amdg. R.S.'03 ch.9 §44: land in unincorporated places forfeited for nonpayment of taxes to be *bid in by State Land Agent and be held as property of the people* [sold by Treasurer to highest bidder]. 1§ '07 ch.174, 28 Mar.
- k **Mich.** Amdg. '93 ch. 206 §81, 82 rel. to form of tax sale certificate and issuance of deed. 2§ '07 ch.34, 3 Apr.
- n **Minn.** Delinquent state taxes to draw 12% interest. 3§ '07 ch.82, 3 Apr.
- p **Minn.** Amdg. R.L.'05 §957 rel. to fees for serving notice of expiration of redemption from tax sale. 1§ '07 ch.85, 3 Apr.
- q **Minn.** Rate of interest on certificate of sale of real property for unpaid assmt.: restoring rate prior to '05 ch.205 which is repealed. 2§ '07 ch.132, 9 Apr.
- r **Minn.** Amdg. R.L.'05 §4273: real estate tax judgments to be copied into records of new county. 1§ '07 ch.159, 12 Apr.

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- s **Minn.** Action on local improvement assmt. certificate issued by city of 50,000, not to be commenced more than 2 years after expiration of period of redemption; nor when superseded by subsequent tax or assmt. lien. 1§ '07 ch.183, 13 Apr.
- t **Minn.** Amdg. R.L.'05 §936-37 rel. to sale of land bid in for state at tax sale. 2§ '07 ch.430, 25 Apr.
- u **Mon.** Amdg. P.C. §4870 rel. to county treasurer: collection of taxes and sales for delinquent taxes. 2§ '07 ch.24, 20 Feb.
- v **Neb.** County comrs. or supervisors in county which has adopted C.S.'05 §5197-5244 (delinquent tax collection law) may appropriate to cover extra expense. 1§ '07 ch.105, 6 Apr.
- w **Nev.** County comrs. to strike uncollectible taxes off lists. 2§ '07 ch.155, 28 Mar.
- x **Nev.** Amdg. C.L.'00 §1135: district to furnish reasons for not bringing suit for delinquent taxes. 1§ '07 ch.162, 29 Mar.
- y **N. H.** Amdg. P.S. ch.61 §8: purchaser of real estate at tax sale to notify mortgagees in 30 days *whether owner resident or not*. 2§ '07 ch.120, 4 Apr.
- z **N. J.** Amdg. '03 ch.208 §57, 58 rel. to real estate sold for taxes: may be redeemed by payment to *collector* [purchaser]; *lien of sale canceled on filing certificate of redemption*. 2§ '07 ch.204, 15 May
- za **N. C.** Amdg. Revisal '05 §2903 rel. to publication of notice of purchase at tax sale. 1§ '07 ch.950, 11 Mar.
- zb **N. C.** Amdg. Revisal '05 §5242: property not to be sold for taxes before Nov. 1 *unless sheriff believe they will be lost otherwise*. 1§ '07 ch.1002, 11 Mar.
- zc **N. D.** Amdg. R.C.'05 §1584 rel. to rights of purchaser at tax sale. 1§ '07 ch.220, 13 Mar.
- zd **N. D.** Amdg. R.C.'05 §1597 which prohibits recording of deed on property having unpaid taxes. 1§ '07 ch.219, 14 Mar.
- ze **Or.** Amdg. Ann. C.& S. §3127 rel. to sheriff's deeds. 1§ '07 ch.179, 25 Feb.
- zf **Or.** Amdg. Ann. C.& S. §1035: sheriff in office to execute sheriff's deed to replace one lost. 1§ '07 ch.208, 25 Feb.
- zg **Pa.** Amdg. '01 ch.228 §32 rel. to lien of taxes: not discharged by judicial sale where proceeds are insufficient to pay taxes. 1§ '07 ch.213, 28 May
- zh **Tex.** Amdg. '05 ch.132 §1 rel. to redemption of land sold to state, city or town for taxes. 1§ '07 ch.145, 19 Apr.
- zi **U.** Amdg. R.S.'98 §2655 rel. to sale by county of real estate for taxes. 1§ '07 ch.49, 14 Mar.
- zj **Wash.** Action to set aside county treasurer's tax sale deed to be begun in 3 years. 1§ '07 ch.173, 15 Mar.
- zk **Wash.** Amdg. '07 ch.71 §94: certificate of delinquency of taxes against real property to be issued at end of 12 [6] months. 1§ '07 ch.206, 15 Mar.
- zn **Wis.** Amdg. S.'98 §1133, 1170, 1174 rel. to publication of notice of sale of land for taxes and redemption thereof, and compensation for printing. 3§ '07 ch.502, 9 July



## TAXATION

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- zp Wis. Amdg. S.'98 §1187: where original owner of land sold under tax deed continues payment of taxes for 5 years without knowledge of sale, tax deed void. 1§ '07 ch.607, 12 July

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### Income tax

- a N. D. Referring to next Legis. amdt. to Const. 1889 §176: Legis. may impose income tax; may exempt from taxation fraternal societies and hospitals used wholly or partly for public charity. 1§ '07 p.455, 23 Mar.
- b Wis. Submitting amdt. to Const. 1848 art.8 §1: Legis. may provide for graduated income tax. Vote Nov. 1908. '05 p.992; '07 ch.661, 16 July

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### Poll taxes

*See also 814,816, Exemption from taxation; 2714, Roads*

- a Ala. Amdg. '03 p.42 §3: Auditor to return stubs of poll tax receipts to probate judge for record. 1§ '07 p.317, 4 Mar.
- b Me. Amdg. R.S.'03 ch.9 §6 ¶7: blind exempted from poll tax. 1§ '07 ch.52, 12 Mar.
- c Nev. Referring to Legis. of 1909 amdt. to Const. 1864 art.2 §7: poll to be applied to roads [ $\frac{1}{2}$  for state and  $\frac{1}{2}$  for county purposes]. 1§ '07 p.450, 29 Mar.
- d N. C. Mun. poll tax not to exceed \$2: not to apply to district, school or bond tax; counties excepted. 3§ '07 ch.935, 11 Mar.
- e Or. Rep. Ann. C.& S. §3041 rel. to poll taxes. 1§ '07 ch.228, 25 Feb.

### 833 Business taxes. Revenue license or privilege taxes

*See also 842, Incorporation taxes; 907, Liquor licenses; 1532, Regulation and licensing of trades and occupations*

- a Ala. Amdg. C.'96 §1321-22 rel. to charter fees of foreign corp. and filing of statement of capital employed in state. 2§ '07 p.422, 7 Mar.
- aa Ala. Amdg. '07 p.455 §8 rel. to taxation of slot machines: weighing, merchandise and gas machines excepted; \$100 on "penny arcades" in city of 20,000, \$50 elsewhere. 1§ '07 p.503, 27 July
- ab Ala. Rep.'07 p.455 §5 rel. to taxation of dealers in cigars and tobacco. 1§ '07 p.504, 27 July
- ac Ala. Amdg. '07 p.455 §9 rel. to taxation of persons whose principal [engaged in] business is [of] lending money and having fixed place of business therefor. 1§ '07 p.502, 2 Aug.
- b Ark. Corp. to pay annual franchise tax proportionate to capital stock. 4§ '07 ch.443, 29 May
- c Col. Corp. to pay annual license tax of 2c on \$1000. Rep. '02 ch.3 §64-69. 11§ '07 ch.211, 1 Apr.

- d Del. Sec. of State to have printed 3000 copies of gen. corp. law and annual franchise tax law. '07 ch.268, 4 Mar.
- e Del. Amdg. '01 ch.15 §4 rel. to rate of annual license tax on certain corporations. 2§ '07 ch.47, 29 Mar.
- f Del. License fee for individuals and corporations having principal place of business without state and maintaining branches within. 1§ '07 ch.168, 29 Mar.
- g Fla. License tax on persons, firms or corporations engaged in enumerated businesses, occupations and professions. 17§ '07 ch.2, 1 June
- h Kan. Amdg. G.S.'01 §1111, 1127 rel. to taxing power of cities of 3d class: may levy license tax on *brokers, pool tables, shooting galleries, telephones and switch boards, merry-go-rounds and steam swings*. 3§ '07 ch.129, 7 Mar.
- i Ky. Declaring invalid '04 ch.104 fixing license tax on single stamped spirits. Revenue bill originating in Senate. Thierman Co. v. Commonwealth 97 S. W. 366 (1906)
- j La. Declaring unconst. '06 ch.214 §2 rel. to license tax on cotton and stock brokerage. Graduation of tax not equitable. State v. W. F. Pinckard & Co. 43 S. 1015 (1907)
- k Mass. Amdg. '03 ch.437 §75: excise tax on foreign corporations 1/50% [1/100%] of par value of capital stock; no deduction of local taxes. 1§ '07 ch.578, 28 June
- n Mon. Amdg. P.C. §4064: occupation tax confined to dealers in oleomargarine, imitation cheese and cigarettes and railroads doing warehouse business. Rep. P.C. §4060, 4072-73, 4075-76, 4078, 4080. 2§ '07 ch.22, 20 Feb.
- p Mon. Amdg. P.C. §4044: duty of county comrs. or State Examiner to examine county treasurer's report for persons doing business without required license. 1§ '07 ch.122, 6 Mar.
- q N. Y. Amdg. agric. law '93 ch.338 §177: \$20 license fee to sell commercial fertilizer or material to be used as fertilizer selling for over \$5 per ton. 1§ '07 ch.493, 11 June
- r Pa. Places serving meals to pay \$2 license and 1 mill tax on gross business. 3§ '07 ch.93, 25 Apr.
- s Pa. License tax on stock, bill, note, exchange, merchandise, real estate and pawnbrokers; on gross receipts; rates; reports to mercantile appraisers; penalty; in lieu of other license taxes. 12§ '07 ch.139, 7 May
- t Tex. Rep. sundry subdiv. of R.C.S.'95; amds. subdiv. 13 rel. to occupation tax on certain occupations. 3§ '07 ch.35, 21 Mar.
- u Tex. Occupation tax on persons and corporations engaged in certain lines of business. 25§ '07 (ex. sess.) ch.18, 16 May
- v W. Va. Amdg. sundry sections of C. ch.32 rel. to licensing of various trades and occupations. 35§ '07 ch.82, 27 Feb.
- w W. Va. Amdg. sundry sections of C. ch.32 rel. to license taxes. Adds §142, 144. 16§ '07 (ex. sess.) ch.16, 6 Mar.
- x Wis. Submitting amdots. to Const. 1848 art.8 §1, 10: privilege and occupation taxes, with reasonable exemptions, may be provided by Legis. 2§. Vote Nov. 1908. '07 ch.661, 16 July

**835 Tax on deeds and contracts. Fees**

- a **Cal.** Submitting amdt. to Const. 1879 to repeal art.13 §4 rel. to taxation of obligations by which debt is secured. 1§. Vote Nov. 1908.  
'07 p.1159, 19 Feb.
- b **Ct.** Amdg. G.S.'02 §2325 rel. to taxation of choses in action: State Treasurer to notify town clerk of payment. 1§  
Amended. 1§ '07 ch.160, 28 June  
'07 ch.253, 31 July
- c **Minn.** Mortgage registry tax of 50c on \$100; in lieu of all other taxes. 9§ '07 ch.328, 23 Apr.
- d **Mo.** Contract of deal in futures to consist of memorandum bearing state stamp of value of 25c; proceeds to constitute road fund; penalty. 3§ '07 p.392, 8 Mar.
- e **N. Y.** Declaring unconst. '06 ch.414 amdg. '96 ch.908 §315 imposing stock transfer tax on each share of \$100 or less regardless of face or actual value. Unequal taxation.  
People v. Mensching 79 N. E. 884 (1907)
- f **N. Y.** Amdg. tax law '96 ch.908 §321 rel. to stock transfer tax: brokers to keep books containing details of transactions open to inspection by Comptroller; right to inspect enforceable by mandamus; actions to be brought in name of Comptroller as such; penalty 3 months to 2 years, \$500 to \$5000. 1§ '07 ch.324, 9 May
- g **N. Y.** Amdg. tax law '96 ch.908 §290, 293, 295-98, 301 rel. to recording tax on mortgages: agreement to increase debt secured deemed mortgage; 50c tax on those under \$100; optional tax on mortgages recorded before July 1, 1906; supplemental not increasing indebtedness not taxable; for indefinite amounts; corporate trust mortgages; additional method of determining valuation for apportionment where property situated in 2 or more counties; optional on prior advance mortgages on advances before July 1, 1906. Adds §293a-c. 9§  
'07 ch.340, 13 May

**836 Inheritance taxes**

- a **Ark.** Amdg. S.'04 §242-43: [collateral] graduated inheritance tax 2§ '07 ch.345, 17 May
- b **Ct.** Classes of property subject to inheritance tax; not to be transferred to foreign executor till tax paid. Rep.'03 ch.63 §2.  
'07 ch.179, 10 July
- c **Id.** Graduated inheritance tax. 26§ '07 p.558, 16 Mar.
- d **Mass.** Collateral inheritance tax not to be increased because of direction in will to pay from residue. 2§ '07 ch.452, 24 May
- e **Mass.** Graduated inheritance tax. Rep. sundry laws. 26§  
'07 ch.563, 27 June
- f **Mich.** Amdg. '99 ch.188 §3, 4, 11, 19 rel. to inheritance tax: enforcement of lien; interest on deferred payment; appraisal; report of taxes. 4§ '07 ch.155, 17 June
- g **Mich.** Amdg. '99 ch.188 §21 rel. to definition of estate subject to inheritance tax. 1§ '07 ch.328, 28 June

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- h** **Neb.** Amdg. C.S.'05 §5186, 5194 rel. to inheritance tax: appraisement of estates; use of proceeds for road improvements. 3§  
'07 ch.104, 18 Mar.
- i** **Neb.** Amdg. C.S.'05 §5176 rel. to inheritance taxes: to be for use of state [permanent road fund]; estates of \$5000 or less, to pay \$2 per \$100; of \$5000-\$10,000, \$3 [all under \$10,000, \$3]. 2§  
'07 ch.103, 6 Apr.
- j** **N. H.** Remainders taxable on remainderman coming into possession; tax may be paid before, and value of intervening estate be deducted; bond to be given where payment postponed. 1§  
'07 ch.64, 20 Mar.
- k** **N. H.** Amdg. '05 ch.40 §1, 2, 9, 10, 12-14, 17, 20 rel. to inheritance taxes. 9§  
'07 ch.68, 20 Mar.
- n** **N. H.** State Treasurer and Atty. Gen. may compromise inheritance tax in case of contingent bequest or where life tenant has power of appointment. 2§  
'07 ch.69, 20 Mar.
- p** **N. H.** Amdg. '05 ch.40 §19: securities not to be delivered to foreign administrator till inheritance tax paid. 1§  
'07 ch.82, 26 Mar.
- q** **N. H.** Amdg. P.S.ch.188 §13, 14: executor to give bond for payment of inheritance tax. 2§  
'07 ch.86, 26 Mar.
- r** **N. H.** Amdg. '05 ch.40 §22 rel. to collection of inheritance tax: State Treasurer may employ person to assist and represent state in litigation; salary \$1500, clerk hire \$600. 1§  
'07 ch.138, 5 Apr.
- s** **N. Y.** Amdg. tax law '96 ch.908 §221 rel. to exemptions from transfer tax: property worth less than \$10,000 passing to stepchild exempt. 1§  
'07 ch.204, 25 Apr.
- t** **N. Y.** Amdg. tax law '96 ch.908 §225: no interest to be paid on refund of transfer tax erroneously paid. 1§  
'07 ch.323, 8 May
- u** **N. C.** Amdg. '05 ch.588 §6: share in excess of \$2000 subject to inheritance tax. 1§  
'07 ch.256, 11 Mar.
- v** **Tex.** Graduated collateral inheritance tax. 16§  
'07 (ex. sess.) ch.21, 16 May
- w** **Wash.** Amdg. '01 ch.65 §1, 2, 4, 7, 9, 10, 12-15, 17, 18 rel. to taxation of inheritances. 13§  
'07 ch.217, 16 Mar.
- x** **W. Va.** Amdg. '04 (ex. sess.) ch.6 §1, 2 rel. to inheritance tax: 1% on transfer to parent, wife or lineal descendant; \$20,000 exemption. 2§  
'07 ch.55, 27 Feb.

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## Corporation taxes

Including taxation by general property tax

- a** **Ala.** Graduated franchise tax on foreign corp. for use of state; half as much additional for use of county. 2§  
'07 p.418, 7 Mar.
- aa** **Ala.** Deducting loans made by foreign corp. on real estate in Ala. from amount of capital in ascertaining amount of franchise tax. 1§  
'07 p.521, 27 July
- b** **Cal.** Amdg. '06 ch.19 §2 rel. to annual license tax on corporations: graduated according to capital stock [\$20]; extra help for Sec. of State for collection. 2§  
'07 ch.347, 19 Mar.

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- c **Cal.** Amdg. '05 ch.386 §6, 10a rel. to forfeiture of corporate charter because of nonpayment of annual license tax: forfeiture not to affect actions and judgments pending against corp. 2§  
'07 ch.403, 20 Mar.
- d **Ct.** Amdg. G.S.'02 §2329: personal property of corp. to be assessed *where permanently located, otherwise* at principal place of business. 1§  
'07 ch.184, 5 July
- e **Del.** Gov. may appoint special agent to collect tax of delinquent corp. 1§  
'06 (ex. sess.) ch.2, 29 June
- f **Id.** Annual license fees and filing of annual statements by corporations. 4§  
'07 p.235, 12 Mar.
- g **Me.** Amdg. R.S.'03 ch.9 §25 rel. to taxation of real property of certain corporations: agric. and stock raising corporations included. 1§  
'07 ch.16, 15 Feb.
- h **Me.** Amdg. R.S.'03 ch.8 §18 rel. to taxation of corporate franchises. 1§  
'07 ch.185, 28 Mar.
- i **Mass.** Realty and machinery of water companies to be taxed locally. 1§  
'07 ch.329, 23 Apr.
- j **Mass.** Corp. tax not to be reduced for debts unless sworn statement filed that debts were not incurred to secure reduction. 1§  
'07 ch.395, 8 May
- k **N. Y.** Allowing savings bank, trust and insurance companies owning N. Y. state bonds, 1% par value toward privilege tax. Adds tax law '96 ch.908 §187c. 1§  
'07 ch.550, 25 June
- n **N. Y.** Amdg. tax law '96 ch.908 §182, 184, 186, 190, 195 rel. to taxation of corporations; franchise tax on corp. not included; gross earnings defined; value of stock how determined; revision by Comptroller. 5§  
'07 ch.734, 25 July
- p **N. D.** Taxation of express, freight line, equipment, telegraph and telephone companies. 7§  
'07 ch.216, 14 Mar.
- q **Pa.** Assignee etc. to notify Auditor Gen. of sale of corp. property to aid in collection of taxes. 4§  
'07 ch.193, 25 May
- r **Pa.** Amdg. '79 ch.122 §21 rel. to taxation of corporations: in lieu of other taxes *except on securities held by corp. in which stockholders have not equitable interest in remainder.* 1§  
'07 ch.294, 7 June
- s **Tex.** Franchise taxes of corporations. Rep. R.C.S.'95 art.5243i-j; '05 ch.72. 16§  
'07 (ex. sess.) ch.23, 16 May
- t **U.** Amdg. R.S.'98 §2513, 2559-60, 2562, 2584: assmt. of electric light, pipe line, power and express companies. 5§  
'07 ch.9, 27 Feb.
- u **U.** Graded annual corp. license tax. 5§  
'07 ch.107, 14 Mar.
- v **Vt.** Payment of annual charter tax to extend charter of unorganized corp. 1 year. 1§  
'06 ch.38, 15 Dec.
- w **Vt.** Registration, dissolution and taxation of corporations. Amds. '04 ch.29 §16; '02 ch.20 §51, 52, 63. 24§  
'06 ch.36, 19 Dec.
- x **Wash.** Schedule of fees to be paid by corp.; failure to pay annual license fee bars right to sue and is prima facie evidence of insolvency. 11§  
'07 ch.140, 12 Mar.

**842 Incorporation and license fees and taxes**

*See also 500, Corporations*

- a **Col.** Declaring unconst. '02 ch.3 as far as imposing higher license fees on foreign corporations already admitted to do business in state, than on domestic corporations. Impairs obligation of contract. *American Smelting Co. v. Colorado* 204 U. S. 103 (1907)
- b **Del.** Amdg. '03 ch.394 §5, 129, 137 rel. to incorp. and incorp. fees. 4§ '07 ch.174, 21 Mar.
- c **Fla.** Foreign corp. to obtain permit from Sec. of State; fee; penalty. 8§ '07 ch.122, 1 June
- d **Mass.** Amdg. '03 ch.437 §88, 89; incorp. fee 1/20 [1/40] of 1% of capital stock; at least \$25 [10]. 2§ '07 ch.396, 9 May
- e **Minn.** Amdg. R.L.'05 §2873: no incorp. fee for corp. for purpose of conducting Chautauqua system of education. 1§ '07 ch.329, 23 Apr.
- f **Or.** Amdg. '03 p.39 §1: organization fee of corp. with capital of \$1,000,000 or over, \$75 for each \$1,000,000 or fraction thereof [\$90 for \$2,000,000; \$100 for over that]. 1§ '07 ch.237, 26 Feb.
- g **S. C.** Declaring unconst. '04 ch.269 as far as imposing higher annual license tax on foreign corporations already admitted to do business in state, than on domestic corporations. Impairs obligation of contract. *British American Mortg. Co. v. Jones* 56 S. E. 983 (1907)

**843 Banking institutions**

*See also 1679, Banking*

- a **Del.** Annual privilege tax of 1/8% on capital stock, surplus and undivided profits of banking institution; report to Insurance Comr.; appeal from his determination; banking house exempt. 12§ '07 ch.46, 29 Mar.
- b **Ind.** Capital stock of banking institutions to be assessed to holders in place where bank situated; bank to retain dividends for tax. Rep. '91 ch.99 §62, 65; '03 ch.148 §1; '03 ch.29 §9, 27; '05 ch.56 §1, 2. 6§ '07 ch.281, 12 Mar.
- c **Ia.** Declaring unconst. C. §1322 rel. to taxation of bank shares in so far as it affects govt. bonds. U. S. securities not taxable by state. *Home Savings Bank v. City of Des Moines* 205 U. S. 503 (1907)
- d **Mass.** Deposits in savings banks invested in bonds of the commonwealth issued after July 1, 1906 to be exempt from taxation. Amds. R.L. ch.14 §19. 1§ '07 ch.246, 25 Mar.
- e **Minn.** Amdg. R.L.'05 §2977 rel. to annual tax of banking institutions: schedule for savings banks. 1§ '07 ch.415, 25 Apr.
- f **Nev.** Bank shares assessable to holder in locality where bank situated; real estate assessable to bank; latter liable for tax on shares; lien on shares. 7§ '07 ch.97, 20 Mar.
- g **N. H.** Amdg. P.S. ch.65 §4, 5: savings bank deposits invested in local bonds of state exempt from taxation. 2§ '07 ch.102, 2 Apr.
- h **N. M.** Amdg. C.L.'97 §257, 2635 rel. to assmt. of bank stock by Bd. of Equalization; in lieu of all other taxes. Rep. §259. 6§ '07 ch.103, 21 Mar.

## TAXATION CORPORATIONS

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- i **N. Y.** Amdg. tax law '96 ch.908 §202: local assessors relieved from assessing property of trust companies not locally taxable. 1§  
'07 ch.121, 3 Apr.
- j **Or.** Rep. Ann.C.& S. §3142 which taxed capital stock of banks. 1§  
'07 ch.228, 25 Feb.
- k **Or.** Taxation of banking shares; ascertainment of value thereof; dividends to be retained until tax is paid; penalties; place of assmt. Amds. '03 p.286. Rep. Ann.C.& S. §3042, 3063-68. 12§ '07 ch.265, 28 Feb.
- n **Wash.** Bank shares to be assessed at location of bank. 1§  
'07 ch.46, 27 Feb.

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### Insurance corporations

*See also 1732, Insurance*

- a **Del.** Amdg. '91 ch.23 §3: tax on life insurance company 2% [1½%] on gross premiums. 1§  
'07 ch.109, 9 Apr.
- b **Ia.** Amdg. C. §1333d rel. to taxation of domestic fire insurance companies: 1% on receipts less amount paid for losses and on canceled policies. 1§  
'07 ch.57, 27 Mar.
- c **Ia.** Amdg. C. §1333 rel. to taxation of foreign fire insurance companies: allowed to deduct from gross premiums amount returned on canceled policies. 1§  
'07 ch.56, 4 Apr.
- d **S. D.** Amdg. C.C. §675, P.C. §1524: *mutual fire insurance companies taxed at 1% of gross amount of premiums received in municipalities having organized fire dept.; such municipalities to receive 2 1/2% [2%] of premiums received within its limits or 1% in case of mutual company, from State Treasurer.* 3§  
'07 ch.65, 18 Feb.
- e **Wash.** Amdg. '95 ch.82 §33 rel. to insurance corp.: annual statement; tax 2 1/2% [2%] of gross premiums, 1% where 50% of assets invested in state. 1§  
'07 ch.252, 7 Mar.
- f **Wis.** Amdg. S.'98 §1220: license fee of foreign life insurance company \$300 [3% of premiums]. Rep. '05 ch.455. 2§  
'07 ch.656, 16 July

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### Transportation and transmission corporations

*See also 1200, Transportation*

- a **Ala.** Making subject to taxation franchises dependent on grant of public powers or involving operation of public utility; ascertainment of value thereof; distribution for local taxation; collection. 16§  
'07 p.342, 4 Mar.
- b **Ala.** Amdg. C.'96 §3972 rel. to valuation of property of railroads, long distance telephone and telegraph companies: value of fee, average market value of stock for 12 months preceding, and returns to Railroad Comm. to be used as basis for adjustment of rates, to be considered. 1§  
'07 p.404, 7 Mar.
- ba **Ala.** Amdg. C.'96 §3915 rel. to taxation of sleeping car companies. 1§  
'07 p.501, 2 Aug.
- c **Ark.** Amdg. S.'04 §5676-77: right of way of railroad subject to assmt. for improvements in cities and towns. 3§  
'07 ch.167, 13 Apr.

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- d Ct. Amdg. G.S.'02 §2423, 2441: railroad to report to *Comptroller* before Nov. 10 [15]; in case of railroad return Bd. of *Equalization* may adjourn from time to time for first 13 days. 2§ '07 ch.115, 13 June
- e Ct. Amdg. G.S.'02 §2439 rel. to taxation of telephone *company*: annual tax of \$1.10 [70c] on transmitter. 1§ '07 ch.158, 28 June
- f Ct. Railroad subject to assmt. for local improvements; must maintain sidewalks and remove snow therefrom. 2§ '07 ch.171, 28 June
- g Ct. Amdg. '05 ch.264 §1 rel. to annual statement to *Tax Comr.* [Comptroller] by express company doing business wholly on electric or street railways. 1§ '07 ch.268, 1 Aug.
- h Fla. State and mun. license tax on railroads. 2§ '07 ch.28, 3 June
- i Ga. Declaring unconst. '02 p.19 §9 ¶1 requiring express, telegraph and telephone companies to pay 2½% ad valorem tax, or if not equal to 2½% of gross receipts, an occupation tax for balance. Non-uniform taxation.  
Wright v. Southern Bell Telephone Co. 56 S. E. 116 (1906)
- j Ia. Making railroad subject to assmt. for street improvement. 1§ '07 ch.40, 27 Mar.
- k Ia. Amdg. C. §1346d rel. to assmt. of express companies: method of determining value of property and business within state. 1§ '07 ch.58, 13 Apr.
- n Kan. Excise tax on express companies. 7§ '07 ch.202, 9 Mar.
- p Me. Amdg. R.S.'03 ch.8 §32: tax of 4 1/2% [4%] on gross income of palace car companies. 1§ '07 ch.156, 27 Mar.
- q Me. Amdg. R.S.'03 ch.8 42: express companies to pay license tax of 2 1/2% [2%] of gross receipts. 1§ '07 ch.167, 27 Mar.
- r Me. Amdg. R.S.'03 ch.8 §25: graduated tax on receipts of railroads not to exceed 4 1/2% [4%]. 1§ '07 ch.168, 27 Mar.
- s Mass. Express companies to report annually to Tax Comr. statement of capital, property and debt; to be taxed on gross earnings in state at average of annual rate for 3 years preceding. 7§ '07 ch.586, 28 June
- t Mich. Submitting amdt. to Const. 1850 art.14 §10: taxation of property of transportation corporations. Vote Nov. 1908. '07 p.524
- u Minn. Taxing freight line companies 4% of gross earnings. 6§ '07 ch.250, 19 Apr.
- v Minn. To tax sleeping car companies. 7§ '07 ch.453, 25 Apr.
- w Miss. Declaring unconst. '98 ch.5 §66 which provides that railroad claiming exemption from supervision under maximum and minimum rate provisions of charter be taxed \$10 per mile extra. Takes property without due process of law; impairs obligation of contract; discriminatory. Gulf & S. I. R. Co. v. Adams 45 S. 91 (1907)
- x Mo. Municipality may levy special assmt. against real property of railroad. 1§ '07 p.92, 20 Mar.
- y Neb. Memorializing Cong. to pass act preventing railroad companies and other tax debtors from interfering by injunction in federal courts with collection of state and local taxes. 3§ '07 ch.206, 11 Mar.



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- z** **Neb.** Taxation of railroad terminal property by cities and towns. 20§ '07 ch.106, 28 Mar.
- za** **N. H.** Taxation of express companies. 11§ '07 ch.81, 26 Mar.
- zb** **N. H.** Taxation of sleeping, dining and parlor cars. 3§ '07 ch.91, 26 Mar.
- zc** **N. H.** Amdg. P.S. ch.55 §6 rel. to taxation of real estate of railroads and telegraph and telephone companies. 1§ '07 ch.119, 4 Apr.
- zd** **N. J.** Declaring unconst. '06 ch.280 which provides for local taxation of real estate off main stem of railroad or canal and leaves balance to be taxed under state law. Special legislation.  
United N. J. R. & Canal Co. v. Parker 69 A. 239 (1908)
- ze** **N. M.** Taxation of sleeping cars; report of companies; valuation of cars; penalty. Rep. C.L.'97 §4118-21. 8§ '07 ch.102, 21 Mar.
- zf** **N. Y.** Amdg. tax law '96 ch.908 §2 subdiv.4: taxation of railroad crossing as special franchise in city or village authorized. 1§ '07 ch.720, 24 July
- zg** **N. C.** Corp. Comn. to assess real estate of railroads in stock law territory for local benefit 3§ '07 ch.459, 8 Mar.
- zh** **S. D.** Railroad Comrs. to ascertain cash value of railroads in state. 3§ '07 ch.211, 2 Mar.
- zi** **S. D.** Assmt. and taxation of railway, telegraph, telephone, express and sleeping car companies. 24§ '07 ch.64, 7 Mar.
- zj** **Tex.** Amdg. R.C.S.'95 art.5083: railroad to report rolling stock operated under rental; county assessors to assess same. 1§ '07 ch.95, 15 Apr.
- zk** **Tex.** Generally amdg. '05 ch.146 rel. to taxation of intangible assets of certain transportation companies. Rep. §12. 23§ '07 (ex. sess.) ch.17, 16 May
- zn** **U.** Amdg. R.S.'98 §2513, 2559-60, 2562, 2584, rel. to assmt. of pipe line and express companies. 5§ '07 ch.9, 27 Feb.
- zp** **Vt.** Amdg. '02 ch.20 §20, 21 rel. to the taxation of railroads. 4§ '06 ch.37, 21 Nov.
- zq** **Vt.** Express companies to give security for payment of taxes. 3§ '06 ch.42, 18 Dec.
- zr** **Vt.** Taxing express companies \$8 per mile of routes. 4§ '06 ch.39, 19 Dec.
- zs** **Vt.** Refunding 90% of tax on electric railroads for first 5 years of operation. 2§ '06 ch.40, 19 Dec.
- zt** **Wash.** Privilege tax on private car company for transportation of merchandise. 8§ '07 ch.36, 21 Feb.
- zu** **Wash.** Privilege tax on express companies; 5% of gross receipts. 8§ '07 ch.54, 1 Mar.
- zv** **Wash.** Assmt. of operating property of railroads. 12§ '07 ch.78, 6 Mar.
- zw** **Wash.** Assmt. of property of telegraph companies by State Bd. of Tax Comrs. 11§ '07 ch.131, 12 Mar.
- zx** **Wy.** Tax on express companies 5% [1%] of gross receipts; *State Examiner may examine books at any time.* Amds. '03 ch.111 §2. 2§ '07 ch.61, 16 Feb.

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## Mining

- a **Ari.** Taxation of mines according to productivity. 14§  
'07 ch.20, 11 Mar.
- b **N. D.** Assmt. of lignite coal and minerals underlying land where title severed. 1§  
Same. '07 ch.215, 13 Mar.  
'07 ch.214, 19 Mar.
- c **U.** Submitting amdt. to Const. 1895 art.13 §4: mines and mining property to be taxed by *State Bd. of Equalization*. 3§. Vote Nov. 1908. '07 p.274, 23 Mar.

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## Budget

*See also 2575, Local finance*

- a **Ct.** Amdg. G.S.'02 §62: estimates of expenses of state depts. and institutions to be itemized under regulations of Treasurer and *Comptroller* [Sec.]. 1§  
'07 ch.142, 21 June

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## Appropriation. Limit of expenditure

- a **Ark.** Msdr. for state officer to exceed appropriation. 3§  
'07 ch.240, 30 Apr.
- b **Minn.** State Auditor to cancel appropriations unexpended at end of fiscal year; exceptions; msdr. for public officer to exceed appropriation. 2§  
'07 ch.272, 20 Apr.
- c **Mon.** Msdr. for state officer to contract debt in excess of appropriation. 2§  
'07 ch.26, 21 Feb.

## 853 Accounts. Methods generally. Collection of moneys. Warrants

*See also 2575, Local finance*

- a **Fla.** Contracts for payment of state funds not to be made unless funds will be available at date of payment; salaries of public officials and current expenses of state excepted; moneys for schools to be available next after salaries. 2§  
'07 ch.8, 4 June
- b **Ind.** Officers and bds. to make monthly payment of all moneys received to State Treasurer; Gov. Auditor and Treasurer to constitute State Bd. of Finance to supervise all funds belonging to state; local bds. of finance; depositories; interest; security; penalties. 26§  
'07 ch.222, 9 Mar.
- c **N. J.** State money to be paid only on bills approved by head of dept., institution, bd. etc. and presented to Comptroller; all receipts to be paid to State Treasurer monthly; exceptions. 8§ '07 ch.288, 31 Oct.
- d **N. Y.** Amdg. State finance law '97 ch. 413 §37 rel. to monthly payments by public officers to State Treasurer of fees, income etc.: product of sale of manufactures etc. of Eastern N. Y. Reformatory and hospitals for insane included. 1§  
'07 ch.561, 8 July
- e **Pa.** Certain state officers to pay to Treasurer daily moneys collected. 3§  
'07 ch.198, 25 May

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- f **Tex.** Creating Bd. of State Accounting to consist of Gov., Sec. of State and chairman of Railroad Comn.; to investigate methods of bookkeeping etc. in state depts. and institutions and instal more adequate and uniform systems. 5§ '07 ch.31, 20 Mar.
- g **Wash.** State officer to remit to State Treasurer on day following collection of money; forfeiture, 10% annual interest. 3§ '07 ch.96, 11 Mar.
- h **Wy.** Method of accounting for contingent funds; penalty. 2§ '07 ch.40, 16 Feb.

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- a **Mo.** Gov. may employ special counsel to prosecute claims due from U. S. 4§ '07 p.347, 13 May

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### Claims against state

- a **N. D.** Amdg. R.C.'05 §394: claim against state for money expended in performance of official duties to be accompanied by sub-vouchers. 3§ '07 ch.261, 19 Mar.

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### Examination and audit

- a **Ala.** Amdg. C.'96 § 1876: Gov. may allow Examiner of Public Accounts not to exceed \$2.50 per day for expenses while actually employed. 1§ '07 p.78, 7 Feb.
- b **Ari.** Amdg. '05 ch.40 §2,6 rel. to duties, compensation and clerical help of Public Examiner. 3§ '07 ch.23, 12 Mar.
- c **Cal.** Amdg. P.C. §364: assistant to be member of Bd. of Examiners in absence of Atty. Gen. 1§ '07 ch.315, 18 Mar.
- d **Ga.** Joint legis. committee of 5 to examine books of State House officers. '07 p.1011, 22 Aug.
- e **Neb.** Amdg. C.S.'05 §5913; State Auditor to examine accounts of state officers, depts. and institutions; to appoint expert accountant. 2§ '07 ch.140, 8 Apr.
- f **N. M.** Giving District Court jurisdiction to settle disputes between territory and counties as to accounts; procedure; failure of officer to pay judgment in 30 days evidence of embezzlement. 15§ '07 ch.15, 13 Mar.
- g **S. C.** Joint legis. committee to examine accounts of Comptroller Gen., State Treasurer, Sec. of State and Sinking Fund Comrs. 1§ '07 p.959, 29 Jan.
- h **Wy.** State Examiner may appoint assistant; salary \$1500. 4§ '07 ch.48, 16 Feb.

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### Financial officers

*See also 55, State examiner; 2588, Local finance*

- a **Ia.** Amdg. C. §156, 157, 1378, 1382: duties of sec. of Executive Council; to relieve Auditor of State of certain duties. 3§ '07 ch.5, 5 Apr.
- b **Tenn.** Joint legis. committee of 5 to investigate offices of State Treasurer and Comptroller. 4§ '07 p.2181, 21 Jan.
- c **Vt.** Amdg. S. §5322: Comr. of State Taxes to be paid necessary expenses; may employ clerical assistance at expense not to exceed \$900. 1§ '06 ch.202, 19 Dec.

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## State auditor. Comptroller

- a **Ala.** State Auditor and Sec. of State may give surety company bonds; state to pay premiums, not to exceed \$200. 2§ '07 p.525, 1 Aug.
- aa **Ari.** Amdg. R.S.'01 §107 rel. to Auditor: in case of disability or absence from territory by permission of Gov., Auditor's clerk may be designated by Gov. to act in Auditor's stead. 1§ '07 ch.31, 14 Mar.
- b **Ark.** Allowing Auditor of State additional clerical and stenographic force; not to exceed \$1000 per year. 1§ '07 ch.194, 22 Apr.
- c **Cal.** Amdg. P.C. §439-40 rel. to employees and salaries thereof in Comptroller's office. 2§ '07 ch.157, 10 Mar.
- d **Del.** Salary of Auditor of Accounts \$2000. 2§ '07 ch.92, 29 Mar.
- e **Fla.** Salaries of Auditor and Assistant Auditor \$2500. 3§ '07 ch.106, 27 May
- f **Fla.** State Auditor at request of Gov. to investigate charges against county officials. 2§ '07 ch.107, 1 June
- g **Me.** Creating office of State Auditor; term 2 years; salary \$2500; must be accountant; duties. 10§ '07 ch.147, 26 Mar.
- h **Mass.** Auditor of Accounts to examine accounts of all state officials, bds. and institutions at least annually; accounts to be kept as he prescribes; additional assistance. Amds. R.L. ch.6 §14, 21. 3§ '07 ch.139, 21 Feb.
- i **Mich.** Amdg. C.L.'97 §69, 98: salary of deputy to Sec. of State \$2500 [\$500], of deputy to Auditor Gen. \$2500 [\$700]. 2§ '07 ch.156, 17 June
- j **Nev.** Creating State Auditor: appointed by Gov. for 4 years; salary \$2400; to examine books of state, county and township officers; to keep records open for inspection. 6§ '07 ch.123, 26 Mar.
- k **N. Y.** Amdg. executive law '92 ch.683 §31 rel. to deputies of Comptroller. 1§ '07 ch.359, 23 May
- n **Vt.** Joint committee, 2 senators and 3 representatives to investigate system of bookkeeping used by Auditor of Accounts. '05 ch.507, 9 Oct.
- p **Vt.** Comn. to establish system of bookkeeping in office of Auditor of Accounts; assistants to be appointed in said office. 8§ '06 ch.20, 23 Nov.
- q **Vt.** Amdg. S. §272: Sec. of State and Auditor of Accounts to countersign contracts made by treasurer. 1§ '06 ch.19, 15 Dec.

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## State treasurer

- a **Cal.** Amdg. P.C. §456 rel. to deputy and assistants of State Treasurer and their salaries. 1§ '07 ch.417, 21 Mar.
- b **Mo.** Amdg. R.S.'99 §8965-77 rel. to trusts. Adds §8977a-c. 16§ '07 p.377, 19 Mar.
- c **Mon.** State depositories; bond of State Treasurer \$500,000 [\$150,000], surety company premium state charge; quarterly report by depositories. Amds. P.C. §443, 449. 4§ '07 ch.141, 7 Mar.
- d **N. D.** Amdg. R.C.'05 §122 rel. to bond of State Treasurer. 2§ '07 ch.178, 19 Mar.

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- e **U.** Amdg. R.S.'98 §2428: State Treasurer to file receipted warrants with State Auditor monthly. 1§ '07 ch.66, 14 Mar.

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### Fiscal year

- a **Ind.** Fiscal year to begin Oct. 1; financial reports of state institutions to be in Sept. 30. 6§ '07 ch.143, 9 Mar.

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### Funds. Investments

- a **Cal.** Temporary transfer of moneys from special to gen. fund. Adds §444, 461 to P.C. 2§ '07 ch.312, 18 Mar.
- b **Minn.** Transferring State Institutions Fund to Swamp Land Fund; distribution of income. 3§ '07 ch.385, 24 Apr.
- c **U.** Amdg. '99 ch.64 §34: Lands Comrs. authorized to invest proceeds of sales in scrip issued against special taxes. 1§ '07 ch.115, 14 Mar.
- d **Wash.** Moneys paid into state treasury to become part of gen. fund, whence salaries and expenses are to be paid; exceptions. 2§ '07 ch.8, 7 Feb.
- e **Wash.** Creating State Bd. of Finance to consist of Gov., State Treasurer and State Auditor; to invest school or state institutional funds in public bonds, giving preference to school district bonds; conditions. 4§ '07 ch.12, 11 Feb.
- f **Wis.** Sec. of State may defer transfer of money from gen. to special fund till required to pay claims audited. Adds S.'98 §146m. 1§ '07 ch.616, 12 July

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### Reports

- a **Fla.** State Auditor may require monthly reports from certain judicial and local officers. 2§ '07 ch.108, 3 June
- b **Vt.** State Treasurer to submit detailed report to Auditor of Accounts on 10th of every month. 1§ '06 ch.17, 7 Dec.
- c **Wis.** Organization receiving state aid to report annually to Sec. of State. Adds S.'98 §169e subdiv.1. 1§ '07 ch.303, 21 June

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### State institutions

- a **N. D.** Uniform system of accounting for state institutions. 5§ '07 ch.232, 13 Mar.
- b **N. D.** Gov. to furnish each Legis. financial and statistical report on state institutions; trustees to furnish Gov. with data. 3§ '07 ch.233, 19 Mar.
- c **Vt.** Bds. of directors of State Prison to file quarterly statements of number of prisoners and accounts; Auditor of Accounts to audit institutions' books. Rep. '04 ch.160. 3§ '06 ch.194, 17 Dec.

864

### Warrants. Checks

- a **Id.** State Auditor may issue duplicate for lost warrant; indemnity bond. 1§ '07 p.348, 13 Mar.
- b **Kan.** Amdg. G.S.'01 §2360: forbids state, county, city or township officer to traffic in public warrants, or claims against public. 2§ '07 ch.189, 9 Mar.

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- c **Mon.** State Auditor to cancel warrant not claimed in 6 months; reissue. Adds P.C. §428. 2§ '07 ch.80, 4 Mar.
- d **Neb.** Amdg. C.S.'05 §6383, rel. to registration and payment of state warrants; investment of educational trust funds in warrants. 2§ '07 ch.158, 5 Apr.
- e **Wis.** Amdg. S.'98 §146: Sec. of State may designate assistant to draw warrants of State Treasurer. 1§ '07 ch.139, 24 May

865

## Debts. Bonds

*See also 2597, Local finance*

- a **Cal.** Submitting amdt. to Const. 1879 art.6 §1: loans not to run over 75 [20] years; *sinking funds may be provided for*. 1§. Vote Nov. 1908. '07 p.1366, 14 Mar.
- b **Col.** Submitting amdt. to Const. 1879 art.11 §3: bonds may be issued beyond legal limit of indebtedness to fund Auditor of State's warrants for 1887-89, 1892-94, 1897. 11§. Vote Nov. 1908. '07 ch.134, 9 Apr.
- c **Col.** Providing for funding indebtedness incurred in suppressing insurrection, '99, '03, '04. 8§ '07 ch.184, 9 Apr.
- d **N. Y.** Allowing savings bank, trust and insurance companies owning N. Y. state bonds 1% of par value thereof toward privilege tax. Adds tax law '96 ch.908 §187c. 1§ '07 ch.550, 25 June
- e **Tenn.** Amdg. '99 ch.8 §2: Funding Bd. may apply proceeds of sinking fund to retire any bonds purchasable at par and accrued interest. 1§ '07 ch.453, 13 Apr.

868

## Deposits and depositories

*See also 2600, Local finance*

- a **Ala.** Gov. may designate state depositories; deposit of state bonds with State Treasurer; Gov., State Auditor and State Treasurer to establish regulations; penalties. 14§ '07 p.280, 4 Mar.
- b **Cal.** State depositories to be selected by Treasurer with approval of Gov. and Comptroller; security; interest not less than 2%; further regulations. Rep. '05 ch.308. 8§ '07 ch.50, 28 Feb.
- c **Id.** Amdg. '05 p.306 §2 rel. to interest on state funds in depositories: to be apportioned by Auditor [Treasurer] to proper funds. 1§ '07 p.95, 22 Feb.
- d **Ind.** Depositories; interest; security; creating State Bd. of Finance. 26§ '07 ch.222, 9 Mar.
- e **Me.** Amdg. R.S.'03 ch.2 §58 rel. to state depositories: amount deposited by Treasurer in any one not to exceed \$20,000 or 15% of surplus. 1§ '07 ch.17, 15 Feb.
- f **Mon.** Submitting amdt. to Const. 1889 art.12 §14: Gov., State Auditor and State Treasurer to constitute State Depository Bd. 3§. Vote Nov. 1908. '07 ch.123, 6 Mar.
- g **Mon.** State depositories; bond of State Treasurer \$500,000 [\$150,000], *surety company premium state charge*; quarterly report by depositories. Amds. P.C. §443, 449. 4§ '07 ch.141, 7 Mar.

## POLICE

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- h** Neb. Amdg. C.S.'05 §2582, rel. to bonds of depository banks.  
2§ '07 ch.39, 5 Apr.
- i** Neb. Amdg. C.S.'05 §6017 rel. to deposit of state funds in  
banks; in banks giving guaranty bond, Treasurer may deposit full  
amount of bond. 2§ '07 ch.142, 8 Apr.
- j** N. M. Amdg. C.L.'97 §255: territorial depositories to be banks  
with \$25,000 [\$50,000] capital. 1§ '07 ch.3, 21 Feb.
- k** N. M. Amdg. C.L.'97 §255 rel. to territorial depositories: not to  
apply to trust companies organized under '03 ch.52. 1§  
'07 ch.66, 21 Mar.
- n** Or. State Treasurer to designate depositories for public funds;  
to fix rate of interest at not less than 2%; security. 19§  
'07 ch.135, 25 Feb.
- p** Tex. Amdg. '05 ch.164 §1, 19 rel. to depositories for public  
moneys. Adds §3a, 18a. 5§ '07 ch.90, 12 Apr.
- q** Wash. State depositories. 7§ '07 ch.37, 21 Feb.
- r** Wy. Creating Bd. of Deposits to consist of Gov., State Treas-  
urer and Sec. of State; to designate state depositories; care of local  
funds by local bds. and treasurers. 24§ '07 ch.30, 15 Feb.

870

## Public order

See also 234, Crimes and offenses; 1332, Railroads; 1374, Street railways

872

## Police

See also 206, Detectives; 1334, Railroads; 1374, Street railways

- a** Ct. Amdg. G.S.'02 §77: Gov. authorized to appoint as special po-  
lice persons designated by transportation corp. or *one having control of  
roads in private residence park*. Rep. §78. 2§ '07 ch.51, 17 Apr.
- b** N. C. Amdg. Revisal '05 §2605, 2607: Gov. may appoint em-  
ployees of steam or electric railroads and electric or water power or  
*construction company*, police. 2§ '07 ch.128, 7 Feb.

874

## State and county police

- a** Ind. Amdg. '97 ch.59 §2 rel. to metropolitan police in cities of  
10,000 to 35,000: compensation of supt., captain, sergeant, patrolman.  
2§ '07 ch.175, 9 Mar.
- b** Nev. Amdg. C.L.'00 §2199-2201 rel. to police in unincorporated  
city, town or village: appointed by *county comrs.* [sheriff] on petition  
of majority of *property holders* [electors]; 1/2 [1/4] % tax. 3§  
'07 ch.49, 11 Mar.

875

## Municipal police

- a** Ala. Establishing Police Comm. in cities of 35,000 in counties of  
125,000, to consist of mayor and 2 electives; gen. supervision of per-  
sonnel and discipline of police. 5§ '07 p.402, 7 Mar.
- b** Cal. Member of mun. police after 10 years service entitled to  
preference in assignments and day work. 1§ '07 ch.31, 23 Feb.
- c** Cal. Amdg. '91 ch.49 §1: mun. police to be allowed [not less than  
10 nor more than] 15 days vacation. 1§ '07 ch.44, 28 Feb.

875

- d **Ill.** Declaring unconst. '03 p.97 §18 which allows appeal from order of fire and police comrs. in city of 7000 to 100,000 to Circuit Court. Violates separation of executive and judiciary.  
City of Aurora *v.* Schoberlein 82 N. E. 860 (1907)
- e **Ind.** Amdg. '05 ch.129 §29 rel. to town marshals. 1§  
'07 ch.235, 11 Mar.
- f **Ia.** C. §654, 672 rel. to appointment and compensation of police matrons, made applicable to special charter cities. 1§  
'07 ch.27, 23 Feb.
- g **Ia.** Amdg. C. §679a, 679f-h: cities of 20,000 [60,000] to have bds. of police and fire comrs. 5§  
'07 ch.29, 2 Apr.
- h **Mass.** Amdg. '06 ch.210 §1 prohibiting removal of police officers appointed under civil service: to apply to district police except that Gov. may remove officer detailed to command vessels belonging to commonwealth. 1§  
'07 ch.272, 6 Apr.
- i **Mich.** Amdg. C.L.'97 §3116, 3121 rel. to appointment and removal of policemen by mayor of city of 4th class. 2§  
'07 ch.320, 28 June
- j **Minn.** In city of 50,000 bd. of police comrs. may fix salary of chief at not to exceed \$4000. 1§  
'07 ch.51, 21 Mar.
- k **Minn.** Common council of city of 50,000 may fix maximum of annual expenditure of police dept. and include same in levy. 2§  
'07 ch.301, 22 Apr.
- n **Mo.** Amdg. R.S.'99 §6213-14 rel. to police in city over 300,000: number; 3 *platoon system*; patrolmen and superior officers appointed *during good behaviour* [for 4 years]. 2§  
'07 p.113, 15 Mar.
- p **Mon.** Organization and discipline of mun. police. 14§  
'07 ch.136, 7 Mar.
- q **N. J.** Police of towns to hold office during good behavior and residence; qualifications of appointees; procedure on removal for cause. 5§  
'07 ch.24, 2 Apr.
- r **N. J.** Town councils may increase salaries of police. 1§  
'07 ch.108, 25 Apr.
- s **N. J.** Police in townships to be under control of township committee; to hold office during good behaviour and residence; procedure on removal for cause; msdr. for committeeman to receive emoluments in connection therewith; referendum. 6§  
'07 ch.126, 7 May
- t **N. J.** Municipalities of less than 80,000 to have 1 policeman for every 700 inhabitants; where police are removable only for cause, must be 5 years on force to be eligible for promotion. 3§  
'07 ch.193, 14 May
- u **N. J.** Fixing the compensation of patrolman in cities of 1st class; referendum. 3§  
'07 ch.228, 27 May
- v **N. Y.** Amdg. Greater New York Charter '01 ch.466 §276, 288, 290, 299, 316 rel. to police dept.: abolishes inspectors; sergeants to be called lieutenants, roundsmen to be sergeants; number of patrolmen 7839 instead of 6382; police comr. to detail at discretion 19 captains to be acting inspectors; central office bureau of detectives and detective sergeants abolished; comr. to organize detective bureau from details from force. 6§  
'07 ch.160, 16 Apr



## POLICE REGULATIONS

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- w** **N. Y.** Amdg. village law '97 ch.414 §189-90: village police authorized to execute process or warrant of justices of county; where salaried, fees collected without corporate limits belong to policemen. 2§ '07 ch.471, 10 June
- x** **Tex.** City or town council to fix number and compensation of police. Adds R.C.S.'95 art.483b. 1§ '07 ch.156, 23 Apr.
- y** **Wis.** Amdg. S.'98 §959 subdiv.40, 41, 45 rel. to organization and powers of bd. of police and fire comrs. in city of 2d or 3d class. 3§ '07 ch.61, 30 Apr.

876

### Pensions

- a** **Ct.** Amdg. G.S.'02 §2006 rel. to cities to which police benefit fund act applies. 1§ '07 ch.150, 21 June
- b** **Ct.** Relief for members of State Police Association injured on duty and families of those killed; not to exceed \$1500 altogether in year. 1§ '07 ch.159, 28 June
- c** **Del.** Police pension fund for city of Wilmington. 8§ '07 ch.185, 21 Mar.
- d** **Ill.** Amdg. '87 p.122 §3 rel. to police pensions: combined years of service on fire and police forces to be counted. 1§ '07 p.199, 19 Apr.
- e** **Ind.** Amdg. '05 ch.129 §177-78, 180 concerning police pension funds. 5§ '07 ch.19, 14 Feb.
- f** **Mass.** Towns may pension widows or children of policeman or fireman or person aiding same killed in performance of duty; not to exceed \$300; two thirds vote at town meeting. 3§ '07 ch.186, 12 Mar.
- g** **N. J.** Defining loss of life in performance of duty by policeman. 1§ '07 ch.161, 10 May
- h** **N. H.** Towns and cities to grant pensions to firemen and police officers; referendum. 4§ '07 ch.85, 26 Mar.
- i** **N. Y.** Police pension fund for city of Poughkeepsie. 7§ '07 ch.643, 19 July
- j** **Wis.** Pensions for police of cities of 2d to 4th classes. Adds S.'98 §925 subdiv.52h-v. 15§ '07 ch.671, 16 July

877

## Miscellaneous police regulations

*See also 256, Crimes against public order and security; 264, Crimes against public morals and the family; 1065, Nuisances; 1090, Public safety; 2722, Roads*

879

### Amusements

Relating chiefly to restricted amusements

- a** **Cal.** State Harbor Comrs. may assign land for 10 years to association for aquatic sports. Adds §2524a to P.C. 1§ '07 ch.26, 23 Feb.
- b** **Ia.** Municipalities may regulate and license public dance halls, skating rinks, fortune tellers and billboards. 2§ '07 ch.32, 4 Apr.
- c** **Kan.** Msdr. to hold circus, ball game, horse race or other sporting entertainment on Memorial day. 3§ '07 ch.194, 9 Mar.
- d** **Mass.** Amdg. R.L. ch.102 §184: children under 14 [13] not to be admitted to place of amusement after sunset unless accompanied by adult; proprietor not responsible in case of deception. 1§ '07 ch.355, 3 May

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- e Pa. License tax for shooting galleries, billiard rooms, bowling alleys etc. Rep. '52 ch.280 §6. 7§ '07 ch.190, 25 May
- f S. D. Msdr. to give theatrical or other performance for admission fee on Sunday. 2§. To be submitted for referendum vote Nov. 1908. '07 ch.234, 25 Feb.

881

**Billiards. Bowls etc.**

- a Ct. Amdg. G.S.'02 §1395: hours during which billiard room may be open; loitering of minors forbidden; penalty. 2§ '07 ch.234, 30 July
- b Mich. Amdg. C.L.'97 §5554: child under 17 not allowed in place used for bowling. 1§ '07 ch.55, 25 Apr.
- c Mich. Amdg. C.L.'97 §5936: msdr. to keep ninepin alley for gaming purposes [for hire]. 1§ '07 ch.203, 24 June
- d Neb. Amdg. C.S.'05 §1748; cities of less than 5000 and villages may regulate billiard and pool rooms and bowling alleys. 2§ '07 ch.15, 18 Mar.
- e N. D. Amdg. R.C.'05 §8983: person under 18 or attending local high school not to frequent pool, bowling or card room. 1§ '07 ch.128, 19 Mar.

883

**Gambling. Lotteries. Betting**

*See also 1507, Speculation*

- a Ct. Prohibiting sale, lease, installing, operation or permitting operation on one's premises of machine used for gaming; penalty. 1§ '07 ch.166, 27 June
- b Del. Amdg. R.C. ch.132 which prohibits gaming: craps included. 1§ '07 ch.255, 21 Mar.
- c Ind. Justice to deliver gambling devices seized to sheriff with order for destruction; order to be carried out without waiting for trial. Amds. '05 ch.169 §59-60. 3§ '07 ch.290, 13 Mar.
- d Kan. Unlawful gambling places declared to be nuisances; Atty. Gen. to proceed if county atty. neglect to enforce act. 6§ '07 ch.263, 9 Mar.
- e Mass. Amdg. R.L. ch.214 §2: no gambling in car, steamboat, public conveyance or public place. 1§ '07 ch.366, 3 May
- f Mon. To prohibit gambling and dealing in futures. Rep.'01 p.166. 22§ '07 ch.115, 6 Mar.
- g Nev. Amdg. C.L.'00 §1267: proceeds of gaming licenses to go to county or city [ $\frac{3}{4}$  to county,  $\frac{1}{4}$  to state]. 1§ '07 ch.80, 14 Mar.
- h Nev. Amdg. '01 ch.13 §4 rel. to licensing slot machine to be played for money or thing of value. 1§ '07 ch.212, 29 Mar.
- i N. J. Msdr. to keep slot machine for gaming purposes. 1§ '07 ch.140, 7 May
- j N. M. Prohibiting gambling; penalty; fines to go to school fund. 5§ '07 ch.64, 21 Mar.
- k S. D. Amdg. P.C. §1229 subdiv.34 rel. to powers of city councils: may enter gambling houses and destroy paraphernalia; regulate traffic in liquor consistently with state law; compile ordinances every 5 years. Adds subdiv.82, 83. 3§ '07 ch.94, 20 Feb.

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- n **S. D.** Recovery of money lost at gambling, common gambler defined and penalty prescribed; gambling contracts void. 5§  
'07 ch.155, 7 Mar.
- p **S. D.** Verbal adm't. of R. Pen C. '03 §398 rel. to forfeiture to county supt. of schools of money won at game of chance. 2§  
'07 ch.156, 7 Mar.
- q **Tex.** Amdg. Pen. C.'95 art.388: felony to keep gambling house; penalties for gambling; search for and destruction of apparatus. Adds art.388a-n. 15§  
'07 ch.49, 28 Mar.
- r **Tex.** Prohibiting betting on baseball or football game. 2§  
'07 ch.121, 16 Apr.

887

### *Poolselling. Bookmaking etc.*

- a **Ari.** "An act to prohibit gambling." Rep. C.C. §2868, Pen. C.'01 §290. 1§  
'07 ch.1, 31 Jan.
- b **Ark.** Unlawful to bet on horse race; penalty; neglect of certain officers to enforce misfeasance. 4§  
'07 ch.55, 27 Feb.
- c **Mo.** Amdg. '05 p.131 §1: use of any device to register bets and telephoning or telegraphing result of horse race without state to be registered there, included in definition of bookmaking. 1§  
'07 p.233, 18 Mar.
- d **Mo.** Defining bookmaking and poolselling and declaring same felony. 2§  
'07 p.232, 10 May
- e **Nev.** Requiring license for bookmaking on contests without state; penalty. 3§  
'07 ch.170, 29 Mar.
- f **Tenn.** Msdr. to make pool or book or to wager on horse race. 2§  
'07 ch.88, 8 Feb.
- g **Tenn.** Felony to keep place for betting on horse race. 3§  
'07 ch.89, 12 Feb.

889

### **Prizefighting. Boxing**

- a **Me.** Allowing boxing contests of 6 3 minute rounds; 6 ounce gloves; not more than 5 pounds difference between contestants; examination by physician. Amds. R.S.'03 ch.124 §4. 2§  
'07 ch.53, 13 Mar.
- b **Mass.** Revocation of charter of club promoting illegal boxing match. 1§  
'07 ch.336, 24 Apr.

893

### **Shows. Theaters. Exhibitions**

- a **Cal.** Rep. Pen.C. §526 which prohibited sale of ticket to place of amusement at more than original price. 1§  
'07 ch.367, 19 Mar.
- b **Ill.** Msdr. to sell tickets for theaters etc. for more than printed or advertised price; penalty \$200 or 6 months.  
'07 p.269, 4 June
- c **Mass.** Amdg. R.L. ch.102 §172 rel. to licensing shows by cities and towns: applied to slot machines. 1§  
'07 ch.274, 6 Apr.
- d **Mass.** Amdg. R.L. ch.102 §173 rel. to licenses for shows: not to apply to religious, charitable or school entertainments.. 1§  
'07 ch.309, 18 Apr.
- e **Mich.** Msdr. to scalp ticket for place of amusement. 6§  
'07 ch.138, 12 June
- f **Mon.** Msdr. to give moving picture show depicting acts constituting felonies. 2§  
'07 ch.66, 2 Mar.

893

- g **R. I.** Managers of theaters and shows not to allow boys under 14 or girls under 16 in place unaccompanied by adult; penalty. 3§  
'07 ch.1467, 23 Apr.
- h **Tex.** Prohibiting discrimination between persons desiring to lease theater; schedule of bookings to be public; penalties. 4§  
'07 ch.14, 5 Mar.

895

### Cruelty to children and animals

- a **Mon.** Amdg. '05 ch.96 §2, 5, 6, 10 rel. to sec. and assistants of Bureau of Child and Animal Protection. 5§  
'07 ch.19, 19 Feb.
- b **Wy.** Constituting Wyoming Humane Society State Bd. of Child and Animal Protection; Gov., Supt. of Public Instruction and Atty. Gen. to be ex officio members; annual report to Sec. of State. 7§  
'07 ch.82, 20 Feb.

896

### Cruelty to animals

- a **Ari.** Amdg. Pen.C.'01 §537 rel. to cruelty to animals: penalty \$100 [\$250 or 1 year]. 2§  
'07 ch.4, 25 Feb.
- b **Ari.** Prohibiting steer tying except in regular course of handling; penalty. 3§  
'07 ch.50, 18 Mar.
- c **Cal.** Msdr. to dock tail of horse or import horse with docked tail; registration of horses now docked; stock imported for breeding purposes excepted. Adds §597a-d to Pen.C. 4§  
'07 ch.220, 15 Mar.
- d **Cal.** Amdg. Pen.C. §597b rel. to fighting animals: human beings not to fight with animals for amusement. 1§  
'07 ch.456, 21 Mar.
- e **Col.** Declaring unconst. Ann. S.'91 §111, 112, 114 which authorize humane society to take charge of abandoned or cruelly treated animals. Takes property without due process of law.  
Jenks v. Stump 93 P. 17 (1907)
- f **Ind.** Amdg. '05 ch.169 §584: docking lambs, dehorning cattle and clipping horses not cruelty to animals. 1§  
'07 ch.38, 23 Feb.
- g **Ind.** Amdg. '89 ch.208 §6 rel. to cruelty to animals: officer to arrest at instance of member of humane society; penalty for refusal; 1 member of committee to decide as to destruction of animal to be veterinary surgeon, owner may appoint 2d member. 1§  
'07 ch.250, 11 Mar.
- h **Ia.** Amdg. C. §4969: cruelty to animals to include acts done maliciously or negligently or permitting same to be done. 1§  
'07 ch.174, 4 Apr.
- i **Mass.** Killing of disabled and diseased animals: on application by officer of humane society to magistrate; hearing; indemnity, except in case of infectious disease; paid by society. 3§  
'07 ch.363, 3 May
- j **Mich.** Amdg. C.L.'97 §8423 rel. to corporations for prevention of cruelty to animals: may hold property to value of \$150,000 [\$10,000]. 1§  
'07 ch.132, 12 June
- k **Minn.** Amdg. R.L.'05 §5160 rel. to care of animal left exposed or without food or water. 1§  
'07 ch.398, 24 Apr.
- n **N. H.** Prohibiting docking horses; evidence; penalty. 3§  
'07 ch.39, 6 Mar.

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- p **N. Y.** Amdg. Pen.C. §656: *any officer* [agent of S. P. C. A.] may destroy animal diseased past recovery on judgment of 2 reputable citizens *or written consent of owner*. 1§ '07 ch.192, 22 Apr.
- q **N. Y.** Rep. '88 ch.490 §4 rel. to aid to be given to societies for prevention of cruelty to animals by magistrates and police and authority of agents of society being given by sheriffs. 1§ '07 ch.326, 9 May
- r **N. C.** Amdg. Revisal '05 §3299 rel. to penalty for cruelty to animals. 1§ '07 ch.42, 25 Jan.
- s **R. I.** Adding § 19 to G.L. ch.114: agent of Society for Prevention of Cruelty to Animals to have same authority to arrest as any officer when enforcing laws relating to cruelty to animals. 1§ '07 ch.1446, 19 Apr.
- t **S. C.** Msdr. to abandon diseased or infirm animals in any town or city [of over 40,000]. Amds. Crim.C. §633. 1§ '07 ch.230, 19 Feb.
- u **Tenn.** County of 70,000 to 90,000 may pay officer of humane society \$50 per month. 2§ '07 ch.157, 21 Mar.
- v **Tex.** Msdr. to fight cocks or keep pit. 1§ '07 ch.76, 5 Apr.
- w **U.** Amdg. R.S.'98 §4456 rel. to arrest for cruelty to animals. 1§ '07 ch.152, 25 Mar.
- x **W. Va.** Amdg. '99 ch.9 §1, 2, 7 rel. to W. Va. Humane Society: 5 [4] members of bd.; compensation. 3§ '07 ch.40, 24 Feb.

**Cruelty to children, see 2172, Children**

900

## Intoxicating liquors. Narcotics

*See also 998, Adulteration*

- a **Kan.** Urging passage by Cong. of Littlefield bill declaring that intoxicating liquors cease to be subjects of interstate commerce on entering state of destination. '07 ch.435, 6 Feb.
- b **N. H.** Amdg. '03 ch.95 §12, 17 subdiv. 3: pharmacists as well as others may transfer liquor license; railroad restaurants with licenses may serve food during hours when sale of liquor prohibited. 3§ '07 ch.128, 5 Apr.
- c **N. Y.** Amdg. liquor tax law '96 ch.112 §6, 8, 9, 14, 16, 17: salary of State Comr. of Excise \$7000 [\$5000]; deputy comrs.; compensation of county treasurer; form of question to be voted on at local option election; statement on application for license. 6§ '07 ch.345, 13 May
- d **N. D.** Amdg. R.C.'05 §9366 rel. to definition of intoxicating liquor. 1§ '07 ch.191, 12 Mar.
- e **Pa.** Wholesalers may purchase liquor in bulk and sell by bottle; license fees in various classes of municipalities. 2§ '07 ch.100, 25 Apr.
- f **Tenn.** Sale at retail of intoxicating liquor in counties of 60,000 to 70,000. 27§ '07 ch.162, 21 Mar.
- g **Tex.** Declaring creator of public nuisance person selling intoxicating liquor without paying license and taxes or in prohibition county or precinct; injunction. 4§ '07 ch.81, 6 Apr.
- h **Tex.** Sale of intoxicating liquor outside of local option precincts. 35§ '07 ch.138, 18 Apr.

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- i **Vt.** Town may sell intoxicating liquor which was in town agency when '02 ch.90 became effective. 1§ '06 ch.151, 6 Nov.
- j **Wis.** Number of liquor licenses limited according to population; electors of "residence district" may prevent license by remonstrance. Adds S.'98 §1565d-n. 11§ '07 ch.188, 6 June

902

## Prohibition

- a **Ala.** Requesting representatives in Cong. to urge passage of law preventing interstate shipment of liquor into prohibition territory. 1§ '07 p.784, 9 Aug.
- b **Ga.** Prohibiting manufacture and sale of intoxicating liquor. 4§ '07 p.81, 6 Aug.
- c **Me.** Declaring unconst. R.S.'03 ch.29 §39 authorizing seizure of intoxicating liquors while in transit, in so far as it applies to interstate traffic. Interferes with interstate commerce.  
State *v.* Intoxicating Liquors 64 A. 812 (1906)
- d **N. D.** Creating Enforcement Comr.: atty., appointed by Gov. for period deemed necessary by Gov.; salary \$2000; to enforce laws against manufacture and sale of intoxicating liquors. Rep. R.C.'05 §9395. 13§ '07 ch.187, 13 Mar.  
Declared unconst. Const. requires state's attys. to be elective.  
Ex parte Corliss 114 N. W. 962 (1907)
- e **Tenn.** Amdg. '87 ch.167 §2 prohibiting sale of intoxicating liquor within 4 miles of schoolhouse in towns under 150,000 [5000]. 1§ '07 ch.17, 8 Feb.

903

## Dispensaries

- a **Ala.** Elections in counties to determine whether municipalities therein may operate dispensaries; number of dispensaries dependent on population; conduct of same. 34§ '07 p.377
- b **Ala.** Municipalities operating dispensaries may contract with county to pay 50% of net revenue for interest or redemption of road bonds of such county. 1§ '07 p.396, 6 Mar.
- ba **Ala.** Amdg. '07 p.200 §1 which prohibits local option election in county having dispensaries. 1§ '07 p.626, 7 Aug.
- bb **Ala.** Town or city operating dispensary and not dividing profits with county may give not more than 40% of profits to county for road improvement. 2§ '07 p.726, 13 Aug.
- c **N. C.** Felony for employee of dispensary to accept gift from liquor dealer; penalty. 1§ '07 ch.91, 2 Feb.
- d **N. C.** Amdg. Revisal '05 §2075: person not eligible for dispensary comr. unless he voted for dispensary. 1§ '07 ch.932, 11 Mar.
- e **S. C.** Joint legis. committee to investigate affairs of dispensary. 8§ '07 p.952, 16 Jan.
- f **S. C.** Prohibiting sale or possession of intoxicating liquors except in cities or incorporated towns in counties where allowed by vote; establishes county dispensaries, county dispensary bds., Dispensary Auditor; regulations, penalties; state dispensary abolished. 49§ '07 ch.226, 16 Feb.
- g **S. C.** Gov. to appoint comm. to wind up affairs of state dispensary. 8§ '07 ch.402, 16 Feb.

## LIQUORS

904

### *Local option*

- a **Ala.** Local option in counties; election called by probate judge on application of  $\frac{1}{4}$  of voters. 19§ '07 p.200, 26 Feb.
- aa **Ala.** Unlawful to ship into or solicit orders for intoxicating liquors in prohibition district; not to affect interstate commerce nor prohibit carrying less than 1 gallon in personal baggage; penalty. 9§ '07 p.488, 19 July
- ab **Ala.** Prohibiting sale of beverage containing maltose or gen-cose in prohibition district; penalty. 2§ '07 p.696, 13 Aug.
- b **Ark.** Unlawful to solicit orders for intoxicating liquor in pro-hibition territory. 4§ '07 ch.135, 1 Apr.
- c **Col.** Local option. 18§ '07 ch.198, 25 Mar.
- d **Ct.** Amdg. G.S.'02 §2639: Sec. of State to furnish official en-velopes for ballots on license 10 [3] days before election. 1§ '07 ch.105, 5 June
- e **Ct.** Penalty for soliciting orders for liquor in no-license town. 1§ '07 ch.117, 12 June
- f **Ct.** Amdg. G.S.'02 §2638: petition for vote on license to be lodged with town clerk 12 days before annual meeting. 1§ '07 ch.146, 17 June
- g **Ct.** Amdg. G.S.'02 §2722 rel. to appointment of liquor agent in no-license town; person who has been engaged in sale of liquor not to be appointed. 1§ '07 ch.178, 28 June
- h **Del.** Local option. 12§ '07 ch.65, 21 Mar.
- i **Fla.** Detention and examination of person found intoxicated in no-license district to ascertain vendor of liquor. 8§. '07 ch.96, 3 June
- j **Ill.** Local option law for towns, precincts, cities or villages. 19§ '07 p.297, 16 May
- k **Ky.** Declaring unconst. '02 ch.14 §4 prohibiting c.o.d. shipments of liquor into no-license territory as far as it applies to shipments from one state to another. Attempt to regulate interstate commerce. Adams Express Co. v. Kentucky 206 U. S. 129 (1907)
- n **Mo.** Declaring unconst. R.S.'99 ch.22 art.3 so far as it prohibits gift of drink of liquor in local option district as act of hospitality and not in connection with business transaction. State v. Faulks 105 S. W. 733 (1907)
- p **N. H.** Amdg. '03 ch.95 §31 rel. to local option: recount of vote on petition. 2§ '07 ch.127, 5 Apr.
- q **N. C.** Amdg. Revisal '05 §2069, 2071, 2074 rel. to election for or against prohibition of sale of liquor. 3§ '07 ch.709, 7 Mar.
- r **S. D.** Enforcement of local option laws: search warrant; duty of officers; destruction of liquor seized; evidence. 11§ '07 ch.173, 26 Feb.
- s **S. D.** Local option for counties; vote at state election; not to affect result of subsequent mun. election; special county election; pharmacists excepted; penalties. Amds. '03 ch.166, §1. 5§. Proposed by initiative petition. Vote Nov. 1908. '07 ch.179
- t **Tex.** Prohibiting storing of intoxicating liquor in district where sale prohibited. 15§ '07 ch.77, 5 Apr.

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- u** **Tex.** Appeal involving const. question where defendant accused of violating local option law to be preference case. 1§  
'07 ch.163, 23 Apr.
- v** **Tex.** Amdg. R.C.S.'95 art.3397: contest of local option election simplified. 2§  
'07 (ex. sess.) ch.8, 14 May
- w** **Wis.** Amdg. S.'98 §1565c: possession of U. S. certificate prima facie evidence of sale of intoxicating liquor in no-license community. 1§  
'07 ch.310, 21 June

907

## Liquor licenses

- a** **Ala.** Requiring sheriff to obtain and publish list of persons in county having U. S. license for sale of intoxicating liquor; penalty. 4§  
'07 p.643, 9 Aug.
- aa** **Ala.** Requesting federal courts to enforce U. S. R.S. §3239 requiring publication of liquor tax payments. '07 p.783, 9 Aug.
- ab** **Ari.** Bd. of supervisors may revoke or refuse liquor license for cause. 2§  
'07 ch.25, 12 Mar.
- b** **Ari.** Liquor tax on retail dealers increased to \$300. Amds. R.S.'01 §2857, rep. §2858-60. 2§  
'07 ch.27, 14 Mar.
- c** **Ari.** Amdg. R.S.'01 §2856 license tax of persons selling liquor in quantities of 1 gallon or over. 1§  
'07 ch.84, 21 Mar.
- d** **Ct.** Amdg. G.S.'02 §2734 rel. to attachment of liquor licenses: copy of process to be left at *or forwarded by registered mail to* office of county comrs. 1§  
'07 ch.83, 21 May
- e** **Ct.** Application for retail liquor license to be indorsed by 5 electors and taxpayers; single person not to have more than 5 licenses; person unsuitable to hold license not to be employed in saloon; holder to be bona fide owner of business. 3§  
'07 ch.265, 5 Aug.
- f** **Del.** Annual license of \$200 to distil alcoholic liquor from fruit; penalty. 4§  
'07 ch.41, 15 Mar.
- g** **Del.** Refund of proportionate part of liquor license fees in district voting no license. 1§  
'07 ch.39, 29 Mar.
- h** **Del.** Annual license of \$500 to distil liquor from grain; penalty. 4§  
'07 ch.40, 11 Apr.
- i** **Id.** Amdg. '91 p.33 §2-4, 6 rel. to application for liquor license: county comrs. may reject; bond \$3000 [\$1000]; amount to be paid \$750 [\$500] per year. 4§  
'07 p.219, 12 Mar.
- j** **Ind.** Filing of remonstrance against granting of liquor license prima facie evidence that names thereon were lawfully signed by competent persons. 1§  
'07 ch.173, 9 Mar.
- k** **Ind.** Railroads selling liquor in dining cars to pay \$1000 license. 1§  
'07 ch.288, 12 Mar.
- n** **Ia.** Taxing those storing liquor and collecting price for owner from those unauthorized to sell or to whom conditionally sold; \$600. 2§  
'07 ch.123, 13 Apr.
- p** **Mass.** Amdg. R.L. ch.100 §49; '06 ch.421 §4 rel. to registration of carriers of intoxicating liquors in cities not granting licenses of 1st 5 classes. 2§  
'07 ch.517, 15 June



# LIQUORS

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- q** Mich. Amdg. C.L.'97 §5196: surety company may furnish liquor bond under certain conditions. 2§ '07 ch.321, 28 June
- r** Minn. Amdg. R.L.'05 §1523 rel. to publication of notice of application for liquor license in unorganized town. 1§ '07 ch.380, 24 Apr.
- s** Mo. Amdg. R.S.'99 §2996: state license for dramshop \$100 [\$50] to \$200. 1§ '07 p.258, 30 Mar.
- t** Mo. Msdr. fraudulently to use signature on petition for or remonstrance against granting dramshop license. 1§ '07 (ex. sess.) p.257, 9 May
- u** Mo. Dramshop licenses. Adds R.S.'99 §2990a, 2992a, 2993a-b, 2995a-b, 3000a, 3009a, 3018a. 9§ '07 p.254, 13 May
- v** Neb. Msdr. for manufacturer of liquors to be retailer or to assist retailer, or to own or lease premises for retailing of liquors. 7§ '07 ch.82, 5 Apr.
- w** Nev. Amdg. '05 ch.128 §9: liquor license to be apportioned for remainder of year at annual rate. 1§ '07 ch.105, 20 Mar.
- x** N. J. Liquor license in county of 4th class not to be for less than 1 year. 2§ '07 ch.242, 11 June
- y** N. M. Requiring license of \$200 for sale of liquor on railroad trains; penalties to be paid to school fund. 4§ '07 ch.8, 6 Mar.
- z** N. M. Amdg. '07 ch.8 §2: railroad companies under single management need but 1 license for sale of liquor on trains. 1§ '07 ch.33, 16 Mar.
- za** N. M. Amdg. C.L.'97 §4137: no license required for manufacture, and sale on premises of less than 5 gallons [1 quart] of beer, cider, brandy or wine made from native fruit. 2§ '07 ch.40, 18 Mar.
- zb** N. M. Amdg. C.L.'97 §2402 subdiv.18: no discrimination in granting liquor licenses; license not to be granted where no saloon on block without consent of ½ lot owners, nor within 1 block of church, public library or school. 2§ '07 ch.59, 19 Mar.
- zc** N. C. Amdg. Revisal '05 §2060: evidence as to record of U. S. license competent in prosecution for sale of liquor in no-license territory. 1§ '07 ch.931, 11 Mar.
- zd** N. D. Requiring registration and publication U. S. license for sale of intoxicating liquor; penalty. 9§ '07 ch.189, 13 Mar.
- ze** Pa. Amdg. '97 ch.408 §2 rel. to additional liquor tax. 1§ '07 ch.35, 29 Mar.
- zf** Pa. Allowing till day before commencement of term to pay liquor license. 2§ '07 ch.232, 29 May
- zg** Tex. Annual occupation tax of \$5000 for places handling liquor shipped c. o. d.; locality may impose half as much more. 3§ '07 ch.4, 12 Feb.
- Amended. '07 ch.72, 5 Apr.
- zh** Tex. Occupation tax on dealer in nonintoxicating malt liquor in prohibition locality. 7§ '07 ch.112, 16 Apr.
- Declared unconst. Nonuniform; not within police power.
- Ex parte Woods 108 S. W. 1171 (1908)
- zi** U. Amdg. R.S.'98 §1244: liquor license issued during last quarter may be for unexpired portion of year. 1§ '07 ch.74, 14 Mar.

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- zj **Vt.** Sec. of State to issue wholesale liquor license; applicant to furnish sample; adulteration cause for refusal; penalty for sale of liquor unlike sample; agents to obtain certificate from Sec. of State; penalty; uniform fee \$750. Amds. '04 ch.115 §22. 14§

'06 ch.145, 13 Dec.

- zk **Wash.** State liquor license of \$25 in addition to local fee for sale in any place or on vehicle, car or boat. 5§ '07 ch.194, 15 Mar.

908

## Excise boards

- a **N. J.** Declaring unconst. '06 ch.114 §5 rel. to appointment of mun. excise comrs. Special legislation.

Decker v. Daudt 67 A. 375 (1907)

909

## Rates

- a **Wis.** Amdg. S.'98 §1548b rel. to special election in city, village or town to increase liquor licenses. 1§ '07 ch.490, 9 July

910

## Regulations and restrictions

See also 149, Election offenses; 998, Adulteration

- a **Cal.** Charter of city of Alameda; provides for initiative and referendum; recall and limitation of number of saloons to be submitted. 251§ '07 p.1051, 7 Feb.
- b **Ct.** Amdg. G.S.'02 §2699 which requires saloons to be closed on day of local election: not applicable where election held in but 1 ward of city. 1§ '07 ch.230, 30 July
- c **Ct.** Liquor not to be sold in side room, nor except in restaurant or hotel in other than barroom; penalties. 3§ '07 ch.236, 30 July
- d **Mo.** Amdg. R.S.'99 §3011: dramshops to be closed during local primary election of party casting 20% of vote at last gen. election. 1§ '07 p.253, 19 Mar.
- e **Mo.** Amdg. R.S.'99 §5857: city of 3d class may levy license tax on wine room and prohibit serving of intoxicating liquor to females therein. 1§ '07 p.98, 21 Mar.
- f **Mo.** Unlawful for unauthorized person to act as agent in purchase of liquor and to store or deliver liquor in local option county; penalty. 4§ '07 p.231, 10 May
- g **Mo.** Msdr. to sell liquor from 5 a. m. to 7 p. m. on gen. election or primary day; exceptions. 2§ '07 p.259, 10 May
- h **Mon.** Regulating saloons; wine rooms in connection therewith prohibited; females not to frequent saloon or wine room; penalties and enforcement. 9§ '07 ch.170, 8 Mar.
- i **Neb.** Sale of liquor to be held to take place where delivery and payment are made. Supplementing C.S.'05 ch.50. 1§ '07 ch.80, 23 Feb.
- j **Neb.** Packages containing liquor for transportation to be plainly marked; not to be consigned to fictitious person; not to be imported into prohibition territory. 5§ '07 ch.83, 28 Feb.

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- k **S. D.** Amdg. P.C. §1229 subdiv. 34 rel. to powers of city councils; may enter gambling houses and destroy paraphernalia; regulate traffic in liquor consistently with state law; compile ordinances every 5 years. Adds subdiv. 82, 83. 3§ '07 ch.94, 20 Feb.
- n **S. D.** In places of less than 1000 but 1 license for sale of intoxicating liquor for each 300 to be issued; minimum of 2. 2§ '07 ch.174, 4 Mar.
- p **Vt.** Amdg. '04 ch.115 §86: licensees not to receive goods in pawn for intoxicating liquor, *and licensees of first three classes not to give credit*; penalty. 1§ '06 ch.148, 15 Nov.

911

### *Minors. Persons to whom prohibited*

- a **Ari.** Prohibiting women and minors from frequenting places where liquor is served; penalty. 2§ '07 ch.13, 5 Mar.
- b **Cal.** Changing Pen.C. §273 rel. to sending minor to saloon or disorderly house, to be §273f. 1§ '07 ch.294, 18 Mar.
- c **Ct.** Penalty for minor or female loitering about place where intoxicants sold. 1§ '07 ch.217, 17 July
- d **Del.** Msdr. to sell or give intoxicating liquor to minor or habitual drunkard. 1§ '07 ch.145, 9 Mar.
- e **Fla.** Unlawful after notice in writing to give intoxicating liquor to person addicted. 2§ '07 ch.94, 1 June
- f **Id.** Amdg. '91 p.34 §5 which prohibits sale of liquor to habitual drunkard: msdr. after notice given. 1§ '07 p.325, 13 Mar.
- g **Ill.** Admission of minors to dance halls where liquor is sold, unless accompanied by parents, forbidden; penalty. 2§ '07 p.305, 17 May
- h **Ia.** Amdg. C. §2403: intoxicating liquor not to be sold to *or procured for* minors or drunkards; penalty \$25 to \$200 [§100, ½ to informer]. 2§ '07 ch.122, 10 Apr.
- i **Minn.** Amdg. R.L.'05 §1559 prohibiting sale of liquor to minor or habitual drunkard. 1§ '07 ch.247, 19 Apr.
- j **N. M.** Prohibiting sale of intoxicating liquor to Indians; penalty. Rep.'03 ch.30. 2§ '07 ch.88, 21 Mar.
- k **N. Y.** Amdg. liquor tax law '96 ch.112 §30 subdiv. 5: liquor not to be sold or given to person where notification of his conviction of felony or msdr. 5 times has been given by mayor or chief of police. 1§ '07 ch.460, 10 June
- n **Or.** Liquor license not to be issued to person convicted of selling to children or allowing them to loiter about place. 1§ '07 ch.21, 15 Feb.
- p **Or.** Amdg. Ann.C.& S. §1969 rel. to penalty for selling intoxicating liquor to Indians. 1§ '07 ch.185, 25 Feb.
- q **Tex.** Prohibiting selling or giving intoxicating liquors to minor without written consent of parent. 1§ '07 ch.116, 16 Apr.
- r **U.** Amdg. R.S.'98 §1249 which prohibits sale of liquor to certain classes of persons: not to apply to sale on physician's prescription. Rep. §4245. 2§ '07 ch.22, 9 Mar.

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- s **Wis.** Penalty for minor over 18 to represent himself as of age for purpose of obtaining intoxicating liquor. Adds S.'98 §1557m. 1§  
'07 ch.172, 6 June
- t **Wis.** Sale of intoxicating liquors to prohibited persons. Adds S.'98 §1556a. 1§  
'07 ch.288, 20 June

912

## *Restricted localities*

- a **Ark.** County Court not to grant liquor license except within municipality. 2§  
'07 ch.459, 3 June
- b **Cal.** Amdg. Pen.C. §172: liquor not to be sold within 1900 feet of reformatory or 1½ miles of soldiers home. 1§  
'07 ch.99, 6 Mar.
- c **Ct.** Amdg. G.S.'02 §2647: license for sale of liquor not to be issued to place within 200 feet of church or school. 1§  
'07 ch.200, 11 July
- d **Del.** Msdr. to drink intoxicating liquor in railroad car; buffet car excepted. 2§  
'07 ch.252, 21 Mar.
- e **Ill.** Sale of liquor within 1½ miles of U. S. naval training school or military post forbidden; penalties; enforcement. 4§  
'07 p.306, 17 May
- f **Ia.** Prohibiting sale of intoxicating liquor within 1 mile of U. S. military post. 1§  
'07 ch.124, 10 Apr.
- g **Minn.** Msdr. to introduce intoxicating liquor into polling place. 1§  
'07 ch.307, 22 Apr.
- h **Minn.** Prohibiting sale of intoxicating liquor and cigarettes within 1 mile of University Farm in Ramsey county. 1§  
'07 ch.378, 24 Apr.
- i **Mo.** Prohibiting dramshop within 5 miles of state educational institution with enrolment of 1500. 2§  
'07 p.257, 10 May  
Declared unconst. Special legislation as applying to State University only. State v. Turner 107 S. W. 1064 (1908)
- j **Mon.** Amdg. Pen.C. §717 which prohibits sale of liquor within 5 miles of certain works outside of town or city. 2§  
'07 ch.65, 2 Mar.
- k **Mon.** Prohibiting sale of liquor within ½ mile of park or 1000 feet of cemetery. 1§  
'07 ch.98, 5 Mar.
- n **Neb.** Amdg. C.S.'05 §4245: liquor licenses not to be granted within 2½ miles of U. S. military post. 2§  
'07 ch.81, 10 Apr.
- p **Nev.** Msdr. to sell liquor within 3 miles of railroad construction camp; regular establishments not affected. 3§  
'07 ch.88, 19 Mar.
- q **N. C.** Prohibiting drinking intoxicating liquors in passenger cars; smoking compartments, closets and dining cars excepted. 2§  
'07 ch.455, 26 Feb.
- r **N. C.** Prohibiting sale of intoxicants within 200 feet of church or school; penalty; drug store excepted. 3§  
'07 ch.802, 8 Mar.
- s **Or.** Prohibiting sale of liquor within 2 miles of school maintained by U. S. govt.; penalty. 4§  
'07 ch.107, 23 Feb.
- t **S. D.** Amdg. P.C. §2859: liquor not to be sold *within 300 feet* of [on same or adjacent block to] school. 2§  
'07 ch.175, 25 Feb.
- u **S. D.** Forbidding sale of intoxicating liquor within ⅓ mile of college or academy. 2§  
'07 ch.177, 7 Mar.

## LIQUORS

912

- v **Tenn.** Amdg. '87 ch.167 §2 prohibiting sale of intoxicating liquor in town under 150,000 [5000] within 4 miles of schoolhouse. 1§  
'07 ch.17, 8 Feb.
- w **Tex.** Msdr. to drink intoxicating liquor on train. 2§  
'07 ch.30, 20 Mar.
- x **W. Va.** Prohibiting drinking intoxicating liquor except in licensed railroad car; penalty. 2§  
'07 ch.35, 20 Feb.
- y **Wis.** Amdg. S.'98 §1548: liquor not to be sold within 3200 feet of main building of State University. 1§  
'07 ch.632, 13 July

913

### Sale by druggists

- a **Ala.** Prescriptions for sale of liquor to give name, residence and disease of patient, and to be signed by licensed physician in person; penalties. 4§  
'07 p.727, 13 Aug.
- aa **Mass.** Complaints to Bd. of Pharmacy against persons violating provisions as to druggist's liquor license must be made within 15 days of violation or 30 days of conviction in court. Amds. R.L. ch.76 §16. 1§  
'07 ch.140, 21 Feb.
- b **Mass.** Amdg. R.L. ch.100 §21: druggists having 6th class license or certificate of fitness may sell pure alcohol without physician's prescription; sales to be recorded. 1§  
'07 ch.190, 12 Mar.
- c **Mass.** Amdg. R.L. ch.100 §23 rel. to druggists certificates to sell liquor: Bd. of Registration in Pharmacy may after hearing revoke certificate in its discretion. 1§  
'07 ch.308, 18 Apr.
- d **Mo.** Amdg. R.S.'99 §3048a: druggist to file monthly with county clerk copy of all prescriptions *prescribing liquors*. 1§  
'07 p.259, 18 Mar.
- e **R. I.** Amdg. G.L. ch.102 §53: application for druggist liquor license not to be advertised nor bond required. 1§  
'07 ch.1449, 19 Apr.
- f **S. D.** Amdg. P.C. §1546 which authorizes municipalities to prohibit sale of intoxicating liquor: not to apply to pharmacists. 1§  
'07 ch.178, 25 Feb.
- g **S. D.** Amdg. P.C. §2860 rel. to sale of intoxicating liquor by pharmacists: in no-license places physician's prescription must state its need for actual sickness and doses; not to be refilled. 2§  
'07 ch.176, 26 Feb.
- h **Vt.** Amdg. '04 ch.115 §15 as to issuing license to sell liquor for medicinal purposes to person under 25 years old. 1§  
'06 ch. 143, 10 Dec.
- i **Vt.** Amdg. '04 ch.115 §18: one liquor license for each 1000 of population *except an additional druggist's license may be issued for each 3000 except in no-license towns*. 1§  
'06 ch.144, 18 Dec.

914

### Saloons

- a **Ala.** Saloon not to open before 6 a. m.; to close by 7 p. m. in places under 10,000, 8 p. m. in places under 15,000, 9 p. m. in other places; penalties. 5§  
'07 p.518, 2 Aug.

916

**Illegal traffic**

- a **Ala.** Unlawful sale of intoxicating liquors; penalty; witnesses to testify under immunity. 2§ '07 p.366, 12 Mar.
- b **Ark.** Amdg. S.'04 §5140 which makes clandestine sale of intoxicating liquor msdr.: owner of premises having knowledge guilty; knowledge conclusive on 2d conviction of tenant; lease forfeit on conviction of tenant. 1§ '07 ch.418, 28 May
- c **Ct.** Amdg. G.S.'02 §2712: penalty for 2d violation of same provision of liquor law \$25 to \$200 or 10 days to 6 months. 1§ '07 ch.181, 5 July
- d **Fla.** Amdg. G.S.'06 §3558 rel. to U. S. license being prima facie evidence of sale of liquor 1§ '07 ch.93, 11 May
- e **Fla.** Amdg. G.S.'06 §3448, 3556 rel. to penalty for illegal sale of liquor: \$50 to be paid to informer by person convicted or by county. 2§ '07 ch.95, 1 June
- f **Ind.** Amdg. '75 (ex. sess.) ch.13 §12 rel. to possession and sale of intoxicating liquors by unlicensed retailers: seizure and destruction of liquors; procedure; shipments; druggists; penalties. 15§ '07 ch.16, 13 Feb.
- g **Ind.** Penalties for sale of liquor by unlicensed persons; druggists to sell only on written (not printed or typewritten) prescription, penalties. 3§ '07 ch.293, 16 Mar.
- h **Mo.** Amdg. R.S.'99 §2203: msdr. to lease premises for illegal sale of intoxicating liquor. 1§ '07 p.238, 18 Mar.
- i **N. D.** Declaring unconst. R.C.'05 §9383 as far as it provides that witness in prosecution for illegal traffic in liquor shall testify, but testimony shall not be used against him. Immunity granted not broad enough. In re Beer, 115 N. W. 672 (1908)
- j **N. D.** Prohibiting soliciting orders for liquors; penalty. 2§ '07 ch.192, 8 Mar.
- k **N. D.** Affidavit to obtain search warrant for intoxicating liquor. 1§ '07 ch.190, 12 Mar.
- n **N. D.** Unlawful for owner of building to allow unlawful sale of liquor on premises; penalty. 1§ '07 ch.193, 12 Mar.
- p **N. D.** Seizure without warrant of intoxicating liquor unlawfully imported into state. 4§ '07 ch.188, 13 Mar.
- q **Vt.** Amdg. '04 ch.115 §60: state's atty., grand juror, license comr. or 2 reputable citizens may make complaint of illegal traffic in liquor. 1§ '06 ch.146, 7 Nov.
- r **Vt.** Amdg. '04 ch.115 §73 rel. to fees in seizure and destruction of intoxicating liquor. 1§ '06 ch.147, 16 Nov.

918

**Wine. Cider**

- a **Cal.** Uniform nomenclature for domestic wines by use of prefix Cal. or Cala.; msdr. to use such prefix on other wines. 5§ '07 ch.104, 6 Mar.
- b **Ct.** Amdg. G.S.'02 §2636 which defines intoxicating liquors: domestic wines included. 2§ '07 ch.237, 30 July

## LIQUORS

921

### Intoxication. Inebriates

*See also* 446, Guardianship; 2310, Teaching of effects of alcohol and narcotics

- a **Ark.** Prohibiting drunkenness at public gathering; penalty. 3§  
'07 ch.112, 26 Mar.
- b **Kan.** Control of property of person of unsound mind, drug habitue or habitual drunkard: proof of incapacity; appointment and duties of guardian. Rep. G.S.'01 §3941-86; '05 ch.4, 299, 300. 36§  
'07 ch.247, 9 Mar.

922

### Institutions. Treatment

- a **Ct.** Amdg. '05 ch.110: penalty for aiding escape from hospital of person committed as insane *or habitual drunkard*. 1§  
'07 ch.29, 4 Apr.
- b **Ia.** Amdg. '04 ch.80 §7: only patients of good character to be committed to state hospital for inebriates; supt. may discharge if further treatment useless. 1§  
'07 ch.119, 8 May
- c **Kan.** Reception and restraint of habitual drunkards and drug habitues in private institutions licensed by State Bd. of Control. Rep. G.S.'01 §6571, 6599, 6604 so far as in conflict with this act. 3§  
'07 ch.392, 5 Mar.
- d **Mich.** Bd. of supervisors of county may make contract for cure of indigent person of drunkenness and morphine and cigarette habits. 6§  
'07 ch.68, 30 Apr.
- e **Minn.** Bd. of Control to establish Hospital Farm for Inebriates for persons afflicted with chronic inebriety caused by alcohol or narcotic; commitment; parole; 2% tax on license fees. 21§  
'07 ch.288, 22 Apr.
- f **Pa.** Amdg. '03 ch.153 §1 rel. to commitment of habitual drunkards to hospital or asylum: Court of Quarter Sessions to have exclusive jurisdiction. 1§  
'07 ch.220, 28 May

923

### Punishment

- a **Mich.** Court may suspend sentence for intoxication on condition of abstinence for 1 year; form of pledge. Adds '87 ch.4 §2, 3. 2§  
'07 ch.142, 12 June
- b **Minn.** Amdg. R.L.'05 §5161: suspension of sentence on 1st or 2d conviction for drunkenness. 1§  
'07 ch.208, 15 Apr.
- c **Vt.** Stay of execution on conviction of intoxication may be given on defendant's taking pledge, sentence to be satisfied on fulfillment of same; form of pledge. Amds. '04 ch.116 §1. 2§  
'06 ch.149, 18 Dec.

924

### Tobacco

- a **Minn.** Prohibiting sale of adulterated cigarettes; sale to or use by minor under 18 or minor pupil of tobacco; penalties. 6§  
'07 ch.386, 24 Apr.
- b **Wis.** Prohibiting use of tobacco by person under 16, or permitting such use; penalty. Adds S.'98 §4608v, w. 2§  
'07 ch.463, 1 July

925

*Cigarettes*

- a **Ark.** Msdr. to sell or give away cigarettes or cigarette papers. 4§ '07 ch.280, 8 May
- b **Fla.** Unlawful to sell cigarettes to minor; penalty; minor may be summoned to testify. 4§ '07 ch.121, 22 May
- c **Ill.** Forbidding manufacture and sale of cigarettes "containing any substance deleterious to health, including tobacco"; persons under 18 and over 7 forbidden to smoke cigarettes in public places; sale to such persons forbidden. 3§ '07 p.265, 3 June
- d **Minn.** Prohibiting sale of intoxicating liquor and cigarettes within one mile of University Farm in Ramsey county. 1§ '07 ch.378, 24 Apr.
- e **S. D.** Prohibiting manufacture, sale or use of adulterated cigarettes and use of cigarettes by minors; penalties. 4§ '07 ch.85, 9 Mar.
- f **Wash.** Prohibiting manufacture and sale of cigarettes. 1§ '07 ch.148, 13 Mar.

926

**Opium, cocaine etc.**

*See also 953, Sale of drugs*

- a **Ari.** Felony to introduce opium, cocaine or chloral into penal institutions; penalty 1-10 years. 1§ '07 ch.32, 14 Mar.
- b **Ct.** Prohibiting keeping or frequenting opium joint; penalties. 3§ '07 ch.67, 1 May
- c **Ga.** Certain narcotic drugs to be sold only on prescription to be filled but once; proviso; penalties. 5§ '07 p.121, 22 Aug.
- d **Ind.** Amdg. '01 ch.123 §1, 2 regulating sale of opium, morphine and cocaine: physician's prescription to be dated and state name of person to whom issued; person selling to write on prescription date of filling and name of person presenting same and the word "canceled"; additional penalty. 2§ '07 ch.227, 9 Mar.
- e **Ia.** Amdg. C. §2596a: sale of cocaine, *coca*, *alpha* or *beta eucaïne* restricted. 1§ '07 ch.143, 4 Apr.
- f **Mich.** Amdg. C.L.'97 §5311 rel. to sale of morphine, cocaine etc.: restrictions not applied to sale by retail druggist in original package of at least 1/8 ounce or in pill or tablet form. 1§ '07 ch.279, 27 June
- g **N. Y.** Prohibiting sale at retail of cocaine or eucaïne except on written prescription of physician which shall be preserved and filled but once; wholesaler to label package with statement of contents or retain record of sale for 5 years; penalty 1 year or \$1000. 1§ '07 ch.424, 5 June
- h **N. C.** Certain narcotic drugs to be sold only on prescription; latter not to be made in duplicate or refilled; penalties. 5§ '07 ch.77, 31 Jan.
- i **S. C.** Msdr. to sell cocaine except on physician's prescription; penalty. 1§ '07 ch.256, 20 Feb.
- j **U.** Patent medicine containing opium, chloral, alcohol, acetanilid or antipyrine to be branded; cocaine to be sold only on physician's prescription; penalties. 4§ '07 ch.149, 25 Mar.



## PUBLIC HEALTH

926

- k W. Va.** Bd. of Pharmacy: 1 from each congressional district, appointed by Gov. and Senate, term 5 years; examination and licenses; adulteration of drugs; sale of poisons, narcotics etc.; exceptions; penalties. 31§ '07 (ex sess.) ch.12, 6 Mar.
- n Wy.** Felony to introduce narcotic or firearm into prison or insane hospital. 2§ '07 ch.26, 14 Feb.

927

### Mob violence

- a Cal.** Amdg. P.C. §4452: *counties and cities* liable for injuries by mobs. 1§ '07 ch.290, 18 Mar.

928

### Prostitution

- a Ct.** Amdg. G.S.'02 §1316 which prescribes penalty for keeping house of ill fame. 1§ '07 ch.122, 13 June
- b Ind.** Felony to induce female under 18 years to enter house of prostitution or saloon for immoral purposes; penalty 2 to 14 years. 1§ '07 ch.75, 26 Feb.
- c Minn.** Felony to bring or admit boy under 18 to house of ill fame or arrange his meeting prostitute or for latter to cohabit with him. 3§ '07 ch.320, 23 Apr.
- d Neb.** Amdg. C.S.'05 §7874 rel. to renting of structures for purposes of prostitution. 2§ '07 ch.173, 8 Feb.
- e N. Y.** Amdg. '01 ch.334 §141 rel. to prostitution in tenement house in city of 1st class. 1§ '07 ch.681, 20 July
- f N. C.** Admissibility of certain evidence in prosecution for keeping disorderly house; "keeper" defined. 2§ '07 ch.779, 8 Mar.
- g Tex.** Amdg. Pen. C. '95 art. 359, 361-62 rel. to disorderly houses: where liquor sold unlawfully; procurement; agents; injunction. Adds art.359a, 362a-b. 7§ '07 ch.132, 18 Apr.

929

### Sunday observance

*See also 915, Intoxicating liquors; 2092, Sunday labor*

- a Ct.** Amdg. G.S.'02 §1372 rel. to Sunday observance: those observing Saturday or from sundown Friday to sundown Saturday and filing written notice with prosecuting atty. may perform secular business and labor. 2§ '07 ch.189, 29 June
- b Ga.** Msdr. to fish on Sunday. 2§ '07 p.123, 22 Aug.
- c Id.** Requiring closing of places of business and saloons and prohibiting horse racing on Sunday; penalties. 6§ '07 p.223, 12 Mar.
- d Ind.** Prohibiting barbering on Sunday; exceptions; penalty. 3§ '07 ch.64, 26 Feb.
- e Mass.** Providing for printing of 1500 copies of report of joint special committee to revise and consolidate laws rel. to observance of the Lord's day. '07 r.42, 3 Apr.

930

## Public health and safety

- a N. Y.** Amdg. C.C.P. §484: causes of action for penalties under public health law may be joined. 1§ '07 ch.26, 7 Mar.

930

- b** **Vt.** Editors of public statutes to procure 2000 copies of parts of statutes rel. to public health and pure food; to be delivered to bd. of health for distribution. 1§ '06 ch.217, 17 Dec.

932

## General supervision

*See also 2160, Sick and disabled*

- a** **Ala.** Amdg. '03 p.499 rel. to public health. 27§ '07 p.893, 15 Aug.
- b** **Cal.** Amdg. P.C. §3075 rel. to deputies and clerks in office of Registrar of Vital Statistics and State Bd. of Health. 1§ '07 ch.73, 2 Mar.
- ba** **Cal.** Public health: pollution of waters; ice; local health officers to report monthly cases of communicable diseases of men and animals; quarantine rules; embalming and transportation of bodies dead of communicable diseases; disinterred bodies; penalty. 21§ '07 ch.492, 23 Mar.
- c** **Id.** Creating State Bd. of Health to consist of Atty. Gen., State Engineer and 3 appointees; local bds. created; gen. supervision of health of public and in state institutions; registration of vital statistics. 34§ '07 p.182, 12 Mar.
- d** **Ill.** Amdg. '77 p.208 §2, 7 rel. to State Bd. of Health: powers over quarantine; transportation of bodies; investigation and suppression of contagious diseases; bacteriological laboratory; penalties. 2§ '07 p.537, 18 May
- e** **Kan.** Amdg. '05 ch.488 §15: salaries of assistants in office of State Bd. of Health. 2§ '07 ch.380, 8 Mar.
- f** **Kan.** Amdg. G.S.'01 §6659; extending the powers and duties of State Bd. of Health, especially rel. to quarantine. 2§ '07 ch.379, 9 Mar.
- g** **Mass.** State Bd. of Health may define diseases "dangerous to the public health." 1§ '07 ch.183, 8 Mar.
- h** **Mass.** Amdg. '06 ch.425 §1: salary of sec. of State Bd. of Health \$5000 [\$4000]. 1§ '07 ch.364, 3 May
- i** **Mass.** Amdg. '02 ch.213 §1, 2: commonwealth to receive compensation from diseased persons cared for by it. 2§ '07 ch.386, 7 May
- j** **Mass.** State Bd. of Health to divide commonwealth into 15 health districts; Gov. and Council to appoint physician as inspector in each; term 5 years; to supervise health of district generally; to assume duties of district police as to sanitation; \$25,000 annually for salaries and \$5000 for other purposes. 8§ '07 ch.537, 19 June
- k** **Mon.** Establishing State Bd. of Health to consist of Gov., Atty. Gen., State Veterinarian, sec. of bd. and 3 appointees of Gov. and Senate; term 4 years; \$5 per diem; sec. executive officer, salary \$3000; powers; local bds. and officers. Rep. '01 p. 80. 39§ '07 ch.110, 6 Mar.
- n** **Tenn.** Joint legis. committee of 3 to investigate office of sec. of Bd. of Health. '07 p.2233, 16 Jan.
- p** **U.** Annual convention of local health officers at capital under direction State Bd. of Health; locality to pay expenses of each. 3§ '07 ch.53, 14 Mar.

## PUBLIC HEALTH

932

- q U.** State Bd. of Health to prescribe sanitary code for condition of public buildings and railway coaches; penalty. 4§  
'07 ch.135, 23 Mar.
- r Wis.** Amdg. S.'98 §335b: biennial report of State Bd. of Health limited to 400 [200] pages. 1§  
'07 ch.452, 27 June

934

### Local boards and officers

- a Ala.** Amdg. '03 p.499 §8 rel. to salaries of local health officers. 1§  
'07 p.575, 9 Aug.
- aa Ind.** Amdg. '05 ch.129 §213: bds. of health in cities of 1st class to consist of 4 members; bipartisan; may appoint and fix compensation of supt. of city hospital and health officer. 1§ '07 ch.145, 9 Mar.
- b N. Y.** Amdg. public health law '93 ch.661 §21: local bds. of health *must* [may] allow expenses of health officer attending annual state conference. 1§  
'07 ch.189, 22 Apr.
- c N. Y.** Amdg. public health law '93 ch.661 §20: term of local health officers except in cities of 1st and 2d classes 4 years. 1§  
'07 ch.225, 25 Apr.
- d Pa.** Comrs. of townships of 1st class may establish bds. of health; health officer; hospitals; nuisances; penalties; report to State Health Comr. 8§  
'07 ch.228, 29 May
- e Vt.** Supplementing '02 ch.113: Bd. of Health to designate health officer of adjoining town to act as such in gore or unorganized town; latter to compensate such officer. 4§  
'06 ch.168, 6 Dec.
- f Wash.** Amdg. '03 ch.65 §1, 3, 4, 7, 8 rel. to duties of city and county health officers. Adds §1½.  
'07 ch.85, 7 Mar.
- g W. Va.** Amdg. C. ch.150 §6, 9, 11: health bd. of municipality to be appointed by council; applicant for physician's license must be graduate of medical college; reciprocity with other states; osteopathic license; fees. Rep. §12. 4§  
'07 ch.66, 18 Feb.
- h Wis.** Amdg. S.'98 §1411 rel. to local bds. of health: State Bd. to appoint where local authorities fail; to furnish antitoxin free. 1§  
'07 ch.140, 25 May

936

### State laboratories

- a Id.** Amdg. '05 p.62 §30: salary of State Chemist \$2000 [\$1400]. 1§  
'07 p.337, 13 Mar.
- b Ia.** Amdg. '04 ch.101 §3: annual appropriation for State Bd. of Health laboratory \$6000 [\$4500]. 2§  
'07 ch.137, 27 Mar.
- c Me.** Amdg. R.S.'03 ch.18 §23: appropriation for State Laboratory of Hygiene \$4500 [\$3000]. 1§  
'07 ch.26, 26 Feb.
- d Mich.** Bacteriologist, appointed by State Bd. of Health, to conduct examinations for health and other officers. 5§  
'07 ch.109, 22 May
- e N. D.** Public health laboratory at State University; \$2000: \$5000 annually. 2§  
'07 ch.26, 2 Mar.
- f N. D.** Establishing public health laboratory at State University; to make bacteriological examinations for state and county supts. of health and physicians; bulletins. 6§  
'07 ch.238, 7 Mar.

# Vital statistics

See also 474, Family; 1052, Burial

- a Cal. Amdg. P.C. §2984: where no bd. of health local health officer to enforce regulations as to vital statistics. 1§ '07 ch.56, 1 Mar.
- b Cal. Amdg. P.C. §3078, 3081, 3083 rel. to registration of births, marriages and deaths. 3§ '07 ch.92, 6 Mar.
- c Cal. Amdg. '05 ch.119 §3, 4, 9, 10, 13-15 rel. to registration of deaths and issuance of burial permits. 7§ '07 ch.236, 15 Mar.
- d Col. Registration of vital statistics, under supervision of State Bd. of Health. 26§ '07 ch.112, 9 Apr.
- e Ct. Amdg. G.S.'02 §1861: birth certificate to show *birthplace* [nationality] of parents. 1§ '07 ch.91, 27 May
- f Ct. Amdg. '05 ch.14 §2: registrar of vital statistics to file returns within 60 [30] days. 1§ '07 ch.92, 27 May
- g Ct. Amdg. G.S.'02 §1862: death certificate to contain date of death. 1§ '07 ch.119, 12 June
- h Ind. Physicians and midwives to report deaths, births and contagious and infectious diseases to local health officers; records; State Bd. of Health to tabulate; penalties. 3§ '07 ch.152, 9 Mar.
- i Ia. Amdg. '06 ch.109 §5: assessors to report births *and deaths*. 1§ '07 ch.135, 27 Mar.
- j Ia. Amdg. '06 ch.109 §7 rel. to registration of births and deaths: annual appropriation \$2000 [\$2500] for office expense. 1§ '07 ch.136, 4 Apr.
- k Me. Amdg. R.S.'03 ch.61 §32: town clerks to make *monthly* [annual] returns of vital statistics. 1§ '07 ch.56, 13 Mar.
- n Mich. Amdg. '05 ch.330 §6: physician, midwife or nurse allowed 50c for filing each birth certificate. 1§ '07 ch.285, 27 June
- p Minn. Amdg. R.L.'05 §2140-41 rel. to collection of vital statistics. 2§ '07 ch.454, 25 Apr.
- q Mon. Establishing State Bureau of Vital Statistics under sec. of Bd. of Health; registration of births and deaths; burial permits; physicians, midwives and undertakers to be registered; penalties. 19§ '07 ch.25, 20 Feb.
- r N. M. Physicians or midwives to register deaths and births with probate clerk; penalty. 7§ '07 ch.91, 21 Mar.
- s N. D. Establishing State Bureau of Vital Statistics under supervision of State Bd. of Health; registration of births and deaths; duties of local authorities. 25§ '07 ch.270, 19 Mar.
- t Pa. Amdg. '05 ch.221 §5, 9, 15, 19, 20, 25 rel. to registration of births and deaths and burial permits. 6§ '07 ch.292, 6 June
- u S. D. Clerk of County Court to be county supt. of vital statistics; empowered to visit person delinquent in making return and secure same; may charge delinquent \$1 and mileage at 10c; certified copies of record of State Supt. prima facie evidence; annual report. 5§ '07 ch.246, 4 Mar.
- v Vt. Amdg. '04 ch.140 §10 rel. to reports of births and deaths: town clerk to submit statement to county treasurer of births and deaths reported; latter to remit fees to physicians; penalty \$10. 1§ '06 ch.173, 16 Nov.

938

- w** **Vt.** When parents of person born, married or died, reside in another town, clerk to send copy of record to such town. 2§  
'06 ch.174, 18 Dec.
- x** **Wash.** Registration of births and deaths and issuance of permits for burial, removal or transportation of bodies. 22§  
'07 ch.83, 7 Mar.
- y** **Wis.** Establishing bureau of vital statistics in State Bd. of Health; registration of births, deaths, marriages, accidents and divorces. Amds. and reps. sundry statutes. 63§ '07 ch.469, 1 July
- z** **Wy.** Registration of deaths and births; State Bd. of Health to establish Bureau of Vital Statistics; local registrars; regulations and penalties. 10§ '07 ch.99, 20 Feb.

940

## State control of medicine

*See also 2348, Medical schools*

- a** **Mich.** Msdr. for physician to employ person to bring patients to him. 1§ '07 ch.157, 17 June

943

### License to practise

- a** **S. D.** Electricians may operate electric batteries for treatment of disease; not to charge over \$2 per hour; license \$25; examination by State Bd. of Medical Examiners; penalty. 4§ '07 ch.147, 26 Feb.

944

### Medicine

*See also 1588, Veterinary practice*

- a** **Ala.** Regulating practice of medicine; bd. of censors of Medical Association created State Bd. of Medical Examiners; examination and license; reciprocity with other states; miscellaneous provisions; penalty. 22§ '07 p.591, 9 Aug.
- aa** **Cal.** Practice of medicine, osteopathy and other systems of treating sick. 18§ '07 ch.212, 14 Mar.
- b** **Ct.** Amdg. G.S.'02 §4714-16, 4718 rel. to practice of medicine and midwifery. 4§ '07 ch.82, 21 May
- c** **Del.** Amdg. '95 ch.40 §13, 14 rel. to practice of medicine: applicant must be qualified to enter freshman year at college; must have 4 [3] year medical course; temporary license for visiting physician; definition of practice; exceptions; examination and licensing of osteopaths. Adds §20, 21. 4§ '07 ch.139, 25 Mar.
- d** **Ill.** State Bd. of Health may regulate admission to medical college; may establish reciprocal provisions with other states for admission to practice; compensation of members of bd. Adds §2a, 3a, 3b to '99 p.273. 3§ '07 p.378, 4 June
- e** **Ia.** Revocation of physician's certificate. Amds. C. §2578. 3§ '07 ch.141, 4 Apr.
- f** **Mich.** Amdg.'99 ch.237 §3 rel. to examination and licensing of physicians. 1§ '07 ch.164, 18 June
- g** **Mo.** Amdg. '01 p.207 §5: person advertising to cure sickness deemed practising medicine. 1§ '07 p.358, 22 Mar.

944

- h Mo.** Amdg. '01 p.207 §3, 7, 9 rel. to license to practise medicine: high school education and 4 years at medical college required; appeal to Circuit Court allowed where license revoked. 3§ '07 p.359, 4 Apr.
- i Mon.** Amdg. P.C. §603: person not licensed after examination by State Bd. not to practise medicine; appeal from bd. to District Court; trial by jury of 6 physicians. 2§ '07 ch.100, 5 Mar.
- j Mon.** Amdg. P.C. §606: practising medicine without license defined; penalty. 2§ '07 ch.101, 5 Mar.
- k Mon.** Amdg. P.C. §607: fee for medical license \$25 [\$15]. 2§ '07 ch.114, 6 Mar.
- n Nev.** Amdg. '05 ch.63 §8 rel. to applicants for license to practise medicine. 1§ '07 ch.92, 20 Mar.
- p N. H.** Amdg. '97 ch.63 §14: physicians from states granting similar privileges may be licensed to practise on showing credentials; fee \$10. 1§ '07 ch.17, 20 Feb.
- q N. M.** Establishing Bd. of Health and Medical Examiners; to license physicians on examination; regulation; fee; penalties. Rep. '03 ch.40. 12§ '07 ch.34, 16 Mar.
- r N. Y.** State Bd. of Medical Examiners of 9, appointed by Regents for 3 years, to replace separate State, Homeopathic and Eclectic Bds.; requirements for admission to examination; osteopaths to be licensed, on 4 year course after 1910; subjects of examination; registry of license with county clerk; reciprocity with states requiring equivalent education; exceptions; penalties. Rep. public health law '93 ch.661 art.8. 16§ '07 ch.344, 13 May
- s N. C.** Amdg. Revisal '05 §4498: authorizing Bd. of Medical Examiners to license without examination graduates of medical college having 3 year course licensed in another state. 1§ '07 ch.890, 11 Mar.
- t S. D.** Amdg. '03 ch.176 §10: Medical Bd. may license without examination practitioners of states requiring equal qualifications and reciprocating in such licensing. 1§ '07 ch.202, 7 Mar.
- u Tenn.** License to practise medicine: reciprocity with other states; itinerant physician or vendor of drugs not to treat or prescribe for ailment. Amds. '89 ch.178 §6. 4§ '07 ch.543, 15 Apr.
- v Tex.** Establishing Bd. of Medical Examiners; 11 members, appointed by Gov. for 2 years; qualifications of applicants; subjects of examination; penalties. 17§ '07 ch.123, 17 Apr.
- w U.** Amdg. generally R.S.'98 t.52 rel. to licensing of physicians. 19§ '07 ch.88, 14 Mar.
- x Vt.** Medical Bd. may refuse or revoke license on conviction for abortion or for immoral or unprofessional conduct; accused to have hearing. Amds. '04 ch.133 §7. 1§ '06 ch.164, 22 Nov.
- y Vt.** Amdg. '04 ch.133 §6, 14: Medical Bd. to receive \$4 a day; *if fees insufficient Auditor of Accounts to make up difference*; physicians of other states having equivalent requirements allowed to practise; *standard for admission to practise prescribed*. 2§ '06 ch.165, 10 Dec.

# PUBLIC HEALTH

944

- z **W. Va.** Amdg. C. ch.150 §6, 9, 11: health bd. of municipality to be appointed by council; applicant for physician's license must be graduate of medical college; reciprocity with other states; osteopathic license; fees. Rep. §12. 4§ '07 ch.66, 18 Feb.
- za **Wis.** Amdg. '05 ch.422 §2 to be S.'08 §1436f which defines immoral, dishonorable or unprofessional conduct of physician. 1§ '07 ch.196, 12 June
- zb **Wis.** Amdg. S.'08 §1435f which defines practice of medicine. 1§ '07 ch.363, 24 June

945

## Midwifery

- a **N. Y.** Practice of midwifery in city of New York; under supervision of city health dept. 3§ '07 ch.432, 6 June

946

## Optometry

- a **Ari.** Practice of optometry; creating Bd. of Examiners: registration, examination, renewals, fees; penalties. 16§ '07 ch.29, 14 Mar.
- b **Cal.** Amdg. '03 ch.234 §1, 3, 5, 12, 14, 16, 17 rel. to practice of optometry. 7§ '07 ch.47, 28 Feb.
- c **Id.** Creating Id. State Bd. of Examiners in Optometry: 3 members appointed by Gov.; term 4 years; regulation of practice of optometry; examination and licensing of candidates; penalty. 18§ '07 p.574, 18 Mar.
- d **Ind.** Practice of optometry. 19§ '07 ch.187, 9 Mar.
- e **Mon.** Practice of optometry. 15§ '07 ch.138, 7 Mar.
- f **Neb.** Practice of optometry; examination and registration. 8§ '07 ch.85, 27 Mar.
- g **Or.** Amdg. '05 ch.139 §2, 3, 8 rel. to practice of optometry. 3§ '07 ch.120, 23 Feb.
- h **Tenn.** Creating bd. to examine and license optometrists; 3 members appointed by Gov.; term 6 years; \$6 per diem; regulations; penalty. 9§ '07 ch.39, 12 Feb.
- i **U.** Creating U. State Bd. of Examiners in Optometry: 3 members appointed by Gov. and Senate; term 2 years; examination and license; annual renewal certificate; exceptions; penalty. 13§ '07 ch.85, 14 Mar.

947

## Osteopathy

- a **Del.** Amdg. '95 ch.40 §13, 14 rel. to practice of medicine: applicant must be qualified to enter freshman year at college; must have 4 [3] year medical course; temporary license for visiting physician; definition of practice; exceptions; examination and licensing of osteopaths. Adds §20, 21. 4§ '07 ch.139, 25 Mar.
- b **Id.** Creating Bd. of Osteopathic Examination and Registration; 5 members appointed by Gov., term 5 years; qualifications, examination and registration of candidates; penalty. 6§ '07 p.128, 5 Mar.
- c **Mo.** Amdg. '03 p.248 §2: requirements for osteopathic license; revocation of license. Adds §7. 2§ '07 p.369, 19 Mar.
- d **Mon.** Amdg. '05 ch.51 §8, 12 rel. to osteopathy: penalty for practising without license; definition of practice of. 2§ '07 ch.112, 6 Mar.

947

- c **N. C.** Creating State Bd. of Osteopathic Examination and Registration; 5 practitioners appointed by Gov., terms 5 years; applicants for examination to have high school education and 3 years in osteopathic college; subjects of examination; reciprocity with other states; penalty. 9§ '07 ch.764, 8 Mar.
- f **Or.** Osteopaths to be licensed by State Bd. of Medical Examiners; qualifications; Gov. to add osteopathist to bd. 8§ '07 ch.235, 26 Feb.
- g **S. D.** Creating Bd. of Osteopathic Examiners; 3 members appointed by Gov. for 3 years; to fix own per diem and mileage, to be paid from fees; qualifications of candidates; subjects of examination; osteopaths not to perform major operations; penalties. 9§ '07 ch.195, 2 Mar.
- h **Vt.** Amdg. '04 ch.134 §10: members of Osteopathic Bd. to receive per diem of \$4 [\$5]. 1§ '06 ch.166, 14 Dec.

948

### Dentistry

- a **Cal.** Amdg. '01 ch.175 §15 rel. to defining practice of dentistry. 1§ '07 ch.88, 6 Mar.
- b **Ct.** Amdg. '05 ch.134 §1-4, 11, 12: term of Dental Comrs. 5 [2] years; annual report to Gov.; employment of unlicensed assistants prohibited. 7§ '07 ch.249, 1 Aug.
- c **Id.** Reorganizing Bd. of Dental Examiners and regulations for practice of dentistry as prescribed by '99 p.387. 11§ '07 p.547, 16 Mar.
- d **Kan.** Amdg. '03 ch.227 rel. to practice of dentistry: registration fees; refusal or revocation of license; practitioners of other states. 5§ '07 ch.196, 9 Mar.
- e **Mich.** Reorganizing State Bd. of Dental Examiners and rev. regulations for practice of dentistry. Rep. '83 ch.140. 12§ '07 ch.338, 28 June
- f **Minn.** Amdg. R.L.'05 §2314-16, 2319 rel. to practice of dentistry: bd. to meet 1st Monday in Mar. and Nov.; defined; practitioners of other states may be licensed without examination; msdr. to employ unlicensed dentist. 4§ '07 ch.117, 8 Apr.
- g **N. M.** Amdg. '93 ch.60 §5 rel. to practice of dentistry: candidate must be graduate of dental college [or have affidavits of 3 dentists as to qualifications]. 2§ '07 ch.74, 21 Mar.
- h **N. C.** Amdg. Revisal '05 §3642: defining dentistry in relation to practice of medicine; penalty on second and subsequent convictions for practising dentistry illegally. Adds §4470a. 3§ '07 ch.431, 27 Feb.
- i **Pa.** Creating Dental Council; to license dentists; qualifications of candidates; Bd. of Dental Examiners; subjects for examination; registry of license; penalty. 9§ '07 ch.127, 7 May
- j **R. I.** Defining practice of dentistry. Amds. G.L. ch.155 §6. 2§ '07 ch.1457, 23 Apr.
- k **Tenn.** Amdg. '91 ch.108 rel. to practice of dentistry. 11§ '07 ch.337, 11 Apr.
- n **W. Va.** Amdg. C.ch.150 §29a rel. to licensing dentists: bd. to make annual report to Gov.; reciprocity with other states; definition of practice of dentistry; fees. 1§ '07 ch.69, 22 Feb.



## Pharmacy

- a **Ala.** Creating Bd. of Pharmacy: 3 members appointed by Gov., term 3 years; examination and registration of pharmacists; sale of poisons, narcotics etc.; license on itinerant vendors; penalties. Rep. C.'96 ch.89 and §5335. 17§ '07 p.553, 6 Aug.
- aa **Cal.** Amdg. title of '05 ch.406 and §7, 9, 12-17 rel. to practice of pharmacy. 9§ '07 ch.423, 21 Mar.
- b **Col.** Creating State Bd. of Pharmacy: 3 members appointed by Gov. for 6 years, \$5 per diem; examination and registration of pharmacists; record of sale of poisons. 20§ '07 ch.224, 18 Apr.
- c **Del.** Authorizing Bd. of Pharmacy to enter into reciprocal relations with bds. of other states. 2§ '07 ch.141, 4 Mar.
- d **Del.** Creating Bd. of Pharmacy of 5; appointed by Gov. for 5 years; examination and licensing regulations. 19§ '07 ch.140, 9 Apr.
- e **Ill.** Amdg. '01 p.238 §4-6, 8, 14 rel. to practice of pharmacy. 5§ '07 p.379, 3 June
- f **Ind.** Amdg. '99 ch.108 §1-4, 7-8 rel. to licensing of pharmacists. 6§ '07 ch.188, 9 Mar.
- g **Me.** Amdg. R.S.'03 ch.30 §4, 7, 18; adds §21-22 rel. to apothecaries: bd. may license persons registered in other states requiring equal competency; wood alcohol to be labeled poison and not to be sold for internal use. 5§ '07 ch.74, 20 Mar.
- h **Mass.** Salary of sec. of Bd. of Registration in Pharmacy \$1000, chairman \$600, other members \$500. 1§ '07 ch.399, 9 May
- i **N. M.** Amdg. C.L.'97 §3717-31 rel. to practice of pharmacy. 16§ '07 ch.71, 21 Mar.
- j **N. Y.** Amdg. public health law '93 ch.661 §193 subdiv. 3: pharmacist holding license granted *without* [with] examination prior to Jan. 1, 1901 to be registered. 1§ '07 ch.65, 22 Mar.
- k **N. D.** State Bd. of Pharmacy increased from 3 to 5; regulations for practice of pharmacy revised. 33§ '07 ch.182, 15 Mar.
- n **Or.** Amdg. Ann.C.& S. §3803, 3809, 3812, 3813; '05 ch.123 §3: regulating practice of pharmacy; sale of poisons; licensing of itinerant vendors of medicine. 5§ '07 ch.141, 25 Feb.
- p **Tex.** Establishing Tex. Bd. of Pharmacy: 5 members appointed by Gov. for 2 years; not to exceed \$5 per diem; none but licensed pharmacists to sell drugs; examination. 15§ '07 ch.186, 5 Apr.
- q **Vt.** Annual appropriation of \$500 for Bd. of Pharmacy; expenses not to exceed this and fees; Gov. to appoint one member delegate to annual meeting of national bds. of pharmacy. Amds. S. §4666. 4§ '06 ch.170, 10 Dec.
- r **W. Va.** Bd. of Pharmacy: 1 from each congressional district, appointed Gov. and Senate, term 5 years; examination and licenses; adulteration of drugs; sale of poisons, narcotics etc.; exceptions; penalties. 31§ '07 (ex. sess.) ch.12, 6 Mar.
- s **Wis.** Amdg. S.'98 §1409b-d, f, g rel. to practice of pharmacy. Adds §1409c subdiv.1. 6§ '07 ch.456, 29 June
- t **Wy.** Licensing of pharmacists. Amds. R.S.'99 §2215-16, 2219-22; rep. §2218. 10§ '07 ch.51, 16 Feb.

952

## Sale of drugs

*See also* 949, Pharmacy; 956, Adulteration; 1137, Samples

- a **Cal.** Prohibiting manufacture, sale or transportation of adulterated or misbranded drugs. 21§ '07 ch.186, 11 Mar.
- b **Cal.** Amdg. '03 ch.233 §2 rel. to license on itinerant vendors of drugs: \$100 for 6 months [\$200 per year]; *transferrable*. 1§ '07 ch.422, 21 Mar.
- c **Ia.** Sec. of State to publish for gen. distribution 5000 copies of pharmacy and drug law. 1§ '07 p.292, 5 Apr.
- d **Ia.** Pure drugs. Rep. C. §4983, 4985-86, 4988. 10§ '07 ch.176, 6 Apr.
- e **Kan.** Licensing of itinerant vendors of drugs, nostrums and appliances for treatment of diseases; annual fee of \$50 to county clerk. 4§ '07 ch.246, 21 Feb.
- f **N. Y.** Amdg. public health law '93 ch.661 §199: drugs that may be sold by merchants without pharmacist's license extended. 1§ '07 ch.224, 25 Apr.
- g **N. Y.** Amdg. Pen.C. §401: substitution of *any* drug [dangerous to health] in prescription prohibited. 2§ '07 ch.649, 19 July
- h **N. C.** Amdg. Revisal '05 §4475: Bd. of Pharmacy may designate nonpoisonous domestic remedies. 1§ '07 ch.113, 4 Feb.
- i **N. D.** Pure drug law. 14§ '07 ch.196, 13 Mar.
- j **Vt.** Generally amdg. '04 ch.143 rel. to inspection of foods and drugs: drug adulteration and misbranding defined; druggist to keep record of sale of chloroform; state's atty. to prosecute at instance of State Bd. of Health. 6§ '06 ch.176, 19 Dec.

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## Poisons

*See also* 926, Opium, cocaine, etc.; 1492, Paris green

- a **Cal.** Sale of poisons. 10§ '07 ch.102, 6 Mar.
- b **Ia.** Amdg. C. §2593 rel. to sale of poisons. 1§ '07 ch.142, 27 Mar.
- c **Me.** Amdg. R.S.'03 ch.30 §4, 7, 18; adding §21-22 rel. to apothecaries: wood alcohol to be labeled poison and not to be sold for internal use. 5§ '07 ch.74, 20 Mar.
- d **Mon.** Amdg. P.C. §654 rel. to sale of poisons: wood alcohol included; package to have antidote on label; special warning as to effect of wood alcohol. 2§ '07 ch.156, 7 Mar.
- e **Wis.** Amdg. S.'98 §1419 rel. to sale of poisons. 2§ '07 ch.366, 16 July

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## Proprietary medicines

- a **Mass.** Amdg. '06 ch.386 §1 and rep. §2 rel. to labeling certain patent medicines: *any quantity* of drugs specified must be printed on label in 8 point type; *dealer holding guaranty of wholesaler exempt from prosecution*. 3§ '07 ch.259, 29 Mar.
- b **U.** Patent medicine containing opium, chloral, alcohol, acetanilid or antipyrine to be branded; cocaine to be sold only on physician's prescription; penalties. 4§ '07 ch.149, 25 Mar.

## 956 Adulteration. Inspection of articles liable to affect public health

See also 1466, Adulterations and imitations

- a Ark. Pure food law. 10§ '07 ch.431, 28 May
- b Cal. Pure food law. 25§ '07 ch.181, 11 Mar.
- c Col. Pure food law. 10§ '07 ch.1, 7 Mar.
- d Ct. Pure food law. 15§ '07 ch.255, 31 July
- e Del. Pure food law. 10§ '07 ch.160, 9 Apr.
- f Fla. Pure foods and drugs. 16§ '07 ch.67, 3 June
- g Ill. Gen. dairy and pure food law. 43§ '07 p.543, 14 May
- h Ind. Pure food and drug law; creating State Food and Drug  
Comr. 12§ '07 ch.104, 4 Mar.
- i Ia. Amdg. '06 ch.166 §7, 8 rel. to definition of misbranding and  
method of labeling foods. 2§ '07 ch.177, 12 Feb.
- j Ia. Amdg. '06 ch.166 §13: annual appropriation for enforcement  
of pure food law \$15,000 [\$10,000]. 1§ '07 ch.179, 4 Apr.
- k Ia. Sec. of State to publish for gen. distribution 5000 copies of  
pure food law, 3000 of law rel. to stock food and seeds, 3000 of paint  
law, 5000 of pharmacy and drug law. 1§ '07 p.292, 5 Apr.
- n Ia. Amdg. '06 ch.166 §8, 9 rel. to pure food: labels; food stand-  
ards. Adds §18. 3§ '07 ch.178, 13 Apr.
- p Kan. "To prevent the manufacture; sale or transportation of  
adulterated or misbranded or poisonous or deleterious foods, drugs,  
medicines and liquors." 16§ '07 ch.266, 14 Feb.
- q Me. Amdg. R.S.'03 ch.39 §30, 32; '05 ch.38 §5; '05 ch.68 §6: gives  
Mun. and Police Courts concurrent jurisdiction with Supreme Judicial  
and Superior Courts for violations of acts prohibiting adulteration of  
fertilizers, grains, dairy products and other foods. 4§ '07 ch.22, 21 Feb.
- r Me. "An act to regulate the sale and analysis of food and  
drugs." Rep. '05 ch.68. 14§ '07 ch.124, 26 Mar.
- s Mass. Prohibitions of R.L. ch.56 §73 rel. to sale of unwholesome  
food not to apply to wholesale fruit and vegetable business where  
articles are in original packages and purchasers notified. 1§  
'07 ch.293, 13 Apr.
- t Minn. Amdg. R.L.'05 §1735: salary of chemist of Dairy and  
Food Dept. \$2400 [\$1500]. 1§ '07 ch.236, 18 Apr.
- u Minn. Amdg. R.L.'05 §1771: sale of food containing coal tar  
dye or saccharin prohibited. 1§ '07 ch.258, 19 Apr.
- v Minn. To prevent sale of unwholesome substances for use as  
food. 2§ '07 ch.384, 24 Apr.
- w Minn. Amdg. R.L.'05 §1779: in prosecutions by Dairy and Food  
Comr. costs to be collected as in other criminal actions. 1§  
'07 ch.426, 25 Apr.
- x Mo. Pure food and drug law. 14§ '07 p.238, 15 Mar
- y Mo. Amdg. '05 p.133 §1, 2 rel. to Dairy and Food Comr. Adds  
§10-17. 10§ '07 p.246, 22 Mar.
- ya Mon. To protect traveling public from adulterated food in  
hotels etc.; enforcement; penalties. 4§ '07 ch.169, 8 Mar.

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- yb** **Mon.** Pure food and drug law. 21§ '07 ch.175, 8 Mar.
- yc** **Neb.** Manufacture and sale of drugs, foods and dairy products; creates Food, Drug and Dairy Comn. Rep. C. S. '05 §3666-77; 7903, 7910-14. 24§ '07 ch.63, 5 Apr.
- yd** **N. H.** Prohibiting manufacture or sale of adulterated or misbranded food, drugs and liquors; State Bd. of Health to enforce; penalties. 11§ '07 ch.48, 7 Mar.
- ye** **N. J.** "An act to secure the purity of foods, beverages, confectionery, condiments, drugs . . ." 50§ '07 ch.217, 20 May
- yf** **N. Y.** Amdg. agric. law '93 ch.338 §8: action for penalty may be brought in county where product sold or where adulteration occurred. 1§ '07 ch.137, 11 Apr.
- yg** **N. Y.** Amdg. agric. law '93 ch.338 §32: no one excused from testifying before Comr. of Agric.; can not be prosecuted in action rel. thereto. 1§ '07 ch.178, 19 Apr.
- yh** **N. Y.** Amdg. agric. law '93 ch.338 §7: keeping prohibited article with stock in place of business deemed having for sale. 1§ '07 ch.406, 4 June
- yi** **N. C.** "An act to prevent the manufacture or sale of adulterated, misbranded, poisonous or deleterious foods, drugs, medicines, or liquors." 16§ '07 ch.368, 25 Feb.
- yj** **N. D.** \$10,000 annually for enforcement of pure food and drug laws. 1§ '07 ch.198, 2 Mar.
- yk** **N. D.** Pure food law. 12§ '07 ch.195, 8 Mar.
- yn** **Or.** Dairy and Food Comr. to publish monthly bulletin of analysis of foods and drinks sold in state. 1§ '07 ch.109, 23 Feb.
- yp** **Or.** Pure food law. 12§ '07 ch.167, 25 Feb.
- yq** **Or.** Amdg. '05 ch.209 §60 rel. to pure food; retailer having guarantee from wholesaler, exempt from prosecution. 1§ '07 ch.214, 25 Feb.
- yr** **Pa.** Prohibiting manufacture and sale of adulterated and misbranded foods and confections; enforcement by Dairy and Food Comr.; penalties. Rep. '95 ch.233. 11§ '07 ch.282, 1 June
- ys** **S. C.** "An act to prohibit the manufacture or sale of adulterated or misbranded or poisonous or deleterious foods or drugs." 8§ '07 ch.248, 20 Feb.
- yt** **S. D.** Creating Food and Dairy Comr.; appointed by Gov. for 2 years, salary \$1600; to enforce pure food law; adulterations and misbranding defined. Rep. P.C. ch.27 art.8, 10. 46§ '07 ch.151, 11 Mar.
- yu** **Tenn.** Pure food and drug law to supplement that of U. S. 11§ '07 ch.297, 9 Apr.
- yv** **Tex.** Pure food law. 63§ '07 ch.39, 23 Mar.
- yw** **U.** Codifying and revising laws rel. to Dairy and Food Comr. Rep. '03 ch.25. 45§ '07 ch.153, 25 Mar.
- yx** **Vt.** Amdg. '04 ch.143 §11 rel. to powers of health officers and making appropriation for inspection of foods and drugs. 2§ '06 ch.175, 10 Dec.

# PUBLIC HEALTH FOOD ADULTERATION

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- yy Vt.** Generally amdg. '04 ch.143 rel. to inspection of foods and drugs: drug, adulteration and misbranding defined; druggist to keep record of sale of chloroform; state's atty. to prosecute at instance of State Bd. of Health. 6§ '06 ch.176, 19 Dec.
- yz Wash.** Prohibiting adulteration of food, drinks and drugs. Rep.'01 ch.94. 16§ '07 ch.211, 15 Mar.
- z W. Va.** Manufacture and sale of food, drink and drugs. 8§ '07 ch.68, 19 Feb.
- za Wis.** Amdg. S.'98 §4607h rel. to penalty for obstructing Dairy and Food Comr. or assistants in performance of duty. 1§ '07 ch.78, 3 May
- zb Wis.** Msdr. to manufacture or sell misbranded food. Adds S.'98 §4601aa. 1§ '07 ch.173, 6 June
- zc Wis.** Standard of purity of foods as established by U. S. Sec. of Agric. to be recognized unless specifically prescribed otherwise. 1§ '07 ch.205, 12 June
- zd Wis.** Sec., cheese factory inspector and creamery inspector in office of Dairy and Food Comr. Adds S.'98 §1410 subdiv.1. 1§ '07 ch.386, 25 June
- ze Wy.** Amdg. '05 ch.49 §1 rel. to Dairy, Food and Oil Comr.: term 4 [2] years; salary \$2000 [\$1200]. 1§ '07 ch.2, 21 Jan.
- zf Wy.** Adulteration of food, drugs and oils. Amds. '03 ch.82 art.1 §2, 8; art.6 §1, 5; art.8 §1, 2, 6; rep.'03 ch.109. 13§ '07 ch.91, 20 Feb.

958

## Labels

- a Minn.** Dairy and Food Comr. may prescribe labels for packages of food. 2§ '07 ch. 424, 25 Apr.

961

## Milk and milk products

- a Cal.** Prohibiting adulteration and deception in sale and establishing standards of quality of dairy products. 7§ '07 ch.216, 15 Mar.
- b Cal.** Prohibiting manufacture and sale of milk or milk products containing chemicals to prevent fermentation; State Dairy Bureau to enforce; penalty. 6§ '07 ch.520, 23 Mar.
- c Ct.** Dairy Comr. to order abatement of unsanitary condition on farm or dairy; penalty for refusal by owner. 1§ '07 ch.137, 14 June
- d Ill.** Sanitary condition and construction of butterine and ice cream factories; inspection; penalties. 5§ '07 p.309, 3 June
- e Ia.** Amdg. '04 ch.88 rel. to compensation of assistant dairy comrs. 1§ '07 ch.132, 10 Apr.
- f Kan.** Creating office of State Dairy Comr.; duties; standards for milk, butter and cheese; \$4000 per year. 10§ '07 ch.404, 7 Mar.
- g Minn.** Prohibiting manufacture and sale of adulterated ice cream; penalty; Dairy and Food Comr. to enforce. 3§ '07 ch.124, 6 Apr.
- h N. H.** Prohibiting manufacture or sale of adulterated ice cream; standard; penalty \$10 to \$20. 2§ '07 ch.72, 22 Mar.
- i N. D.** Amdg. R.C. §2090-2106 rel. to adulteration of dairy products. 19§ '07 ch.90, 13 Mar.

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- j **S. D.** Grading cream and preventing fraud in manufacture of butter; penalty. 5§ '07 ch.152, 7 Mar.

964

## Butter and cheese

965

### *Butter. Imitation and adulteration. Olcomargarin*

- a **N. Y.** Amdg. agric. law '93 ch.338 §27: renovated butter to be labeled so or as *process butter*; when sold at retail to be wrapped in paper so marked. 1§ '07 ch.143, 7 May
- b **U.** Packages of butter to be stamped with name of maker and actual weight; msdr. 2§ '07 ch.99, 14 Mar.

967

## Milk

- a **Ct.** Prohibiting sale of adulterated milk; standards; receptacles to be kept clean; enforcement. Amds. G. S. '02 §2592; rep. §2585-90, 4883. 12§ '07 ch.143, 21 June
- b **Minn.** Amdg. '05 §1741 rel. to license to sell milk: person keeping but 3 [1] cows and *selling their product only* exempt. 1§ '07 ch.337, 23 Apr.
- c **N. Y.** Amdg. agric. law '93 ch.338 §22: certified milk to conform to regulations and bear certification of milk comm. of county medical society; as to when milk is deemed exposed for sale; adulterated milk to be labeled with statement of ingredients. 1§ '07 ch.241, 30 Apr.
- d **N. Y.** Amdg. agric. law '93 ch.338 §32 rel. to adulteration of milk and cream. 1§ '07 ch.713, 23 July
- e **Wash.** Milk inspectors in city of 1st class; dealer's license; penalty for sale of impure milk. 15§ '07 ch.234, 16 Mar.

968

## Cans

*See also 1447, Weights and measures; 1502, Marks*

- a **N. H.** Prohibiting use of uncleansed milk cans; penalty. 2§ '07 ch.75, 22 Mar.
- b **N. Y.** Unsanitary milk cans to be condemned by Comr. of Agric.; to be cleaned before return; seizure. Adds agric. law '93 ch.338 §32a-b. 2§ '07 ch.610, 18 July
- c **Pa.** Receptacles for handling milk to be thoroughly cleansed; penalty. 3§ '07 ch.185, 25 May
- d **Vt.** Prohibiting pollution of receptacles used for conveyance of milk; penalties. 4§ '06 ch.137, 22 Nov.

970

## Test. Standard

- a **Mass.** Prohibiting sale of cream containing less than 15% milk fat; penalties. 1§ '07 ch.216, 16 Mar.
- b **Mich.** Testing of milk; penalty. 4§ '07 ch.280, 27 June
- c **Wis.** Amdg. '03 ch.43 §1 to be S.'98 §1494aa: method of sampling milk for composite test; creamery to issue statement of butter fat and butter made. 1§ '07 ch.99, 15 May

972 **Other articles of food and drink**974 **Baking powder**

- a **Wis.** Amdg. S.'98 §4601b: baking powder to have label showing ingredients. 1§ '07 ch.77, 3 May

976 **Canned or preserved food**

- a **Minn.** Dairy and Food Comr. to inspect canneries annually; condition of each to be published in report. 4§ '07 ch.455, 25 Apr.

984 **Fruits**

*See also 1429, Weights and measures*

- a **N. Y.** Amdg. agric. law '93 ch.338 §185: purchase for resale of other than standard evaporated apples prohibited. 1§ '07 ch.483, 11 June  
 b **N. Y.** Prohibiting sale of apples, pears and peaches grown elsewhere as state fruit; deceptive packing or packing such fruit in old cases without erasing former owner's name. Adds agric. law '93 ch.338 §187. 1§ '07 ch.684, 20 July

998 **Liquors. Alcohol**

- a **Ark.** County judge to appoint inspector of oils and fluids. Rep. S.'04 §4064. 2§ '07 ch.413, 28 May

1000 **Meats. Fish (fresh)**

- a **Kan.** Msdr. to sell at retail refrigerated undrawn poultry, fish or game; fresh meats to be protected from dust, flies etc., during transportation. 2§ '07 ch.187, 7 Feb.

1004 **Meats**

*See also 1083, Slaughterhouses*

- a **Col.** Prohibiting slaughtering for human food of diseased animals; slaughterhouses to be sanitary; State Veterinary Surgeon to enforce. 13§ '07 ch.60, 1 Apr.  
 b **Fla.** Cattle to be slaughtered only after inspection or in presence of disinterested person; penalty. 4§ '07 ch.70, 27 May  
 c **Ill.** Bd. of Live Stock Comrs. may inspect animals intended for food which they believe diseased; condemnation; penalty. 3§ '07 p.7, 27 May  
 d **Mass.** Bds. of health required to notify Chief of Cattle Bureau of State Bd. of Agric. of discovery and disposition of tainted meats and of licensing slaughterhouses for cattle and horses; penalties. 1§ '07 ch.243, 25 Mar.  
 e **Pa.** Prohibiting sale of unwholesome meats; Livestock Sanitary Bd. to enforce; penalties. 14§ '07 ch.187, 25 May  
 f **U.** Food and Dairy Comrs. to inspect cattle, sheep, swine and goats being prepared for human food; msdr. to sell animal condemned. 6§ '07 ch.146, 25 Mar.  
 g **Vt.** Prohibiting sale of diseased animal or meat or flesh of calf under 4 weeks old; penalty. Rep. S. §5074, '02 ch.85 §3, 6, 8; '04 ch.143 §10, 21. 5§ '06 ch.182, 19 Dec.  
 Unconst. Interferes with interstate commerce.  
 State v. Peet 68 A. 661 (1908)

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- 1004  
h **Wis.** City of 1st class may license meat markets. 1§  
'07 ch.587, 12 July

## 1006 Spices. Condiments

- a **Minn.** Amdg. R.L.'05 §1762 rel. to sale of adulterated spices and condiments. 1§  
'07 ch.237, 18 Apr.

## 1008 Sugars. Syrups. Confectionery

*See also 2053, Bakeries and confectioneries (health and safety of employees)*

## 1010 Candy

- a **Vt.** Prohibiting furnishing to minors candy containing intoxicating liquors; penalty. 1§  
'06 ch.150, 22 Nov.

## 1012 Sugar. Syrup

- b **Wis.** Amdg. S.'98 §4600: sale of candy containing intoxicating liquor prohibited. 1§  
'07 ch.168, 6 June  
a **Wis.** Amdg. '05 ch.152 §1, 2 rel. to adulteration of syrups, molasses, glucose and maple syrup mixtures. 2§  
'07 ch.557, 10 July

## 1014 Vinegar. Cider

- a **Ind.** Amdg. '05 ch.169 §545 rel. to adulteration and misbranding of vinegar. 1§  
'07 ch.165, 9 Mar.  
b **Minn.** Amdg. R.L.'05 §1757-58 rel. to standard of vinegar. 2§  
'07 ch.347, 23 Apr.  
c **Wis.** Amdg. S.'98 §4607i rel. to sale and standard of vinegar. 1§  
'07 ch.370, 24 June

## 1020 Communicable diseases

*See also 1064, Disposition of the dead; 1065, Nuisances; 1144, Communicable diseases of animals*

- a **Ala.** Amdg. '99 p.129 §17: \$20,000 [\$10,000] annually to enforce quarantine of communicable diseases. 1§  
'07 p.651, 14 Aug.  
aa **Cal.** Amdg. P.C. §2979a rel. to reporting contagious and infectious diseases. 1§  
'07 ch.81, 4 Mar.  
b **Mass.** Amdg. R.L. ch.75 §36: wage earner quarantined by bd. of health to receive  $\frac{3}{4}$  of wages from town or city not to exceed \$2 per day. 1§  
'07 ch.445, 24 May  
c **Minn.** Amdg. R.L.'05 §2137: local bd. of health may employ necessary help for suppression of *communicable diseases* [epidemic]. 1§  
'07 ch.327, 23 Apr.  
d **Or.** Establishing quarantine regulations to be enforced by State Bd. of Health; penalty. 18§  
'07 ch.70, 23 Feb.  
e **Pa.** Person quarantined, on becoming unable to maintain himself and family, to be considered "poor person." 1§  
'07 ch.216, 28 May  
f **Vt.** Amdg. '02 ch.113 §17 rel. to quarantines: physician may temporarily quarantine premises pending specific diagnosis. 2§  
'06 ch.169, 21 Nov.



## PUBLIC HEALTH

1020

- g Wis.** Amdg. '05 ch.192 to be S.'98 §1416 subdiv. 1-4, 8-10, 12-14 rel. to duties of physicians and others in city, *town or village* rel. to infectious diseases. Adds S.'98 §1416 subdiv.5-7, 11. 11§

'07 ch.93, 10 May

- h Wis.** Amdg. S.'98 §4608d rel. to wilfully spreading contagious disease. 1§

'07 ch.209, 12 June

1022

### Report of diseases

- a Mass.** Amdg. R.L. ch.75 §49, 50, 52 rel. to compulsory notification and registration of diseases dangerous to public health: applies to those declared so by State Bd. of Health. 3§

'07 ch.480, 6 June

1024

### Maritime quarantine

- a Ala.** Abolishing quarantine bd. of Mobile bay. 3§

'07 p.537, 2 Aug.

1026

### Protective inoculation

1027

#### *Vaccination*

- a Mass.** Amdg. R.L. ch.44 §6 rel. to exemption of school children from vaccination. 1§

'07 ch.215, 16 Mar.

1028

#### *Antitoxin*

- a Ind.** Municipalities to supply free antitoxin to poor persons; penalty. 5§

'07 ch.163, 9 Mar.

- b Wis.** Amdg. S.'98 §1411 rel. to local bds. of health: to furnish antitoxin free. 1§

'07 ch.140, 25 May

1030

### Special diseases

1040

#### *Hydrophobia*

*See also 1163, Rabies*

- a N. C.** State Bd. of Health may provide for preventive treatment of hydrophobia; free to indigent residents. 2§

'07 ch.891, 11 Mar.

- b Pa.** Amdg. '05 ch.68 §1 which provides for treatment of indigent persons with hydrophobia: at expense of poor district; includes hydrophobia caused by animals other than dogs. 1§

'07 ch.132, 7 May

1041

#### *Smallpox*

- a Wis.** Control of smallpox in school districts. Adds S.'98 §1413l-n. 3§

'07 ch.113, 20 May

1042

#### *Tuberculosis*

- a Ala.** Establishing State Sanatorium for study and treatment of tuberculosis; govt.; methods of treatment; \$40,000; bulletins. 21§

'07 p.705, 14 Aug.

- aa Cal.** State Bd. of Health to disseminate knowledge to prevent spread of tuberculosis; \$2000. 2§

'07 ch.458, 21 Mar.

- b Ct.** Comn. of 9 appointed by Gov. to investigate means to prevent spread of tuberculosis; report next session. 2§

'07 special acts ch.426, 17 July

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- c **Ind.** Establishing Hospital for Treatment of Tuberculosis; comn. of 5 appointed by Gov. to erect same; bd. of trustees of 3, appointed by Gov. for 3 years; regulations; \$30,000 for site. 21§  
'07 ch.125, 8 Mar.
- d **Ia.** Amdg. '06 ch.120 rel. to State Sanitarium for Treatment of Tuberculosis: spelling changed to sanatorium; \$30 [\$20] per capita appropriation; lectures for dissemination of information as to disease. Adds new §. 5§  
'07 ch.147, 10 Apr.
- e **Me.** Authorizing construction of building at Eastern Me. Insane Hospital for isolation and treatment of tubercular insane; \$30,000. '07 r.50, 19 Feb.
- f **Mass.** Providing for printing 3000 copies of report of comn. to investigate measures for relief of consumptives; sergeant at arms to distribute. '07 r.62, 18 Apr.
- g **Mass.** Gov. and Council to appoint bd. of trustees of 7 to erect 3 sanatoriums for tuberculosis; term 5 years; member of State Bd. of Charity and of Health to assist; regulations for administration; \$300,000. 15§  
'07 ch.474, 4 June
- h **Minn.** Amdg. R.L.'05 §1929; applicant for admission to Minn. Sanatorium for Consumptives to be examined by any [county] examining physician. 1§  
'07 ch.135, 10 Apr.
- i **Mo.** Govt. of Mo. State Sanatorium for incipient pulmonary tuberculosis; bd. of managers of 5 appointed by Gov. and Senate for 3 years; regulations. 19§  
'07 p.306, 19 Mar.
- j **N. J.** Cities of 1st class may erect and maintain hospital for treatment of tuberculosis on unused land belonging to city. 5§  
'07 ch.54, 12 Apr.
- k **N. J.** Consent of municipality necessary for establishing tubercular hospital; corporations not organized for profit excepted. 1§  
'07 ch.170, 13 May
- n **N. J.** Amdg. '02 ch.126 §9 rel. to admission to Sanatorium for Tuberculosis Diseases; managers to determine rate of pay; municipalities to pay for indigent residents sent at request of overseer of poor; other indigents free. 2§  
'07 ch.178, 13 May
- p **N. C.** Separation of prisoners afflicted with tuberculosis. 7§  
'07 ch.567, 4 Mar.
- q **N. C.** Establishing North Carolina Sanatorium for Treatment of Tuberculosis; 12 directors, elected by Gen. Assembly for 8 years, per diem \$2; \$15,000; annual appropriation \$5000. 15§  
'07 ch.964, 11 Mar.
- r **Pa.** Dept. of Health with approval of Gov. may establish sanatoriums for indigent persons afflicted with incipient tuberculosis; may be located in forestry reservations; \$600,000. 2§  
'07 ch.157, 14 May
- s **Pa.** Authorizing transfer of sanatorium on forestry reservation near Mont Alto from Comr. of Forestry to Dept. of Health to be used for treatment of incipient tuberculosis. 1§  
'07 ch.273, 1 June
- t **R. I.** Changing name of State Sanatorium for Consumptives to State Sanatorium. 1§  
'07 ch.1427, 5 Apr.
- u **Vt.** Gov. to appoint Tuberculosis Comn. of 3 members to continue work of comn. created by '04 ch.142. 5§  
'06 ch.167, 23 Nov.

1046

**Disposition of the dead**

- a **Ia.** Transportation of dead bodies and practice of embalming; examination and license of embalmers. 11§ '07 ch.140, 23 Feb.
- b **Pa.** Coroner to investigate suspicious deaths; in case of sudden death without suspicious circumstances of person away from home, authorities to send body to relatives. 3§ '07 ch.78, 16 Apr.
- c **Pa.** Local registrars of vital statistics may administer undertakers' oath rel. to preparation of bodies for shipment or those dead of communicable diseases. 1§ '07 ch.135, 7 May
- d **Wash.** Registration of births and deaths and issuance of permits for burial, removal or transportation of bodies. 22§ '07 ch.83, 7 Mar.

1051

**Practice of embalming and undertaking**

- a **Ct.** Unlicensed person not to practice embalming; registration of license; body of person dying sudden death not to be embalmed without permission of coroner; penalty. Amds. '03 ch.159 §9. 7§ '07 ch.81, 21 May
- b **Ill.** Dead body not to be embalmed without consent of coroner; penalty. 1§ '07 p.214, 17 May
- c **Ill.** Embalming fluids containing arsenic or strychnine to be so labeled; use of such fluids forbidden; penalty. 3§ '07 p.267, 20 May
- d **Kan.** Examination and registration of embalmers; regulation of practice of embalming by State Bd. of Embalming. 17§ '07 ch.387, 12 Mar.
- e **Mich.** Amdg. '03 ch.132 §1-3, 8, 9 rel. to practice of embalming. 5§ '07 ch.151, 17 June

1052

**Burial permits***See also 938, Vital statistics*

- a **Cal.** Amdg. '05 ch.119, §3, 4, 9, 10, 13-15 rel. to registration of deaths and issuance of burial permits. 7§ '07 ch.236, 15 Mar.
- b **Or.** Amdg. '05 ch.170 §3 rel. to death certificates and burial permits. 2§ '07 ch.82, 23 Feb.
- c **Pa.** Amdg. '05 ch.221 §5, 9, 15, 19, 20, 25 rel. to registration of births and deaths and burial permits. 6§ '07 ch.292, 6 June

1054

**Cemeteries**

- a **Ala.** Authorizing municipality to obligate itself to care forever for ancient family burial ground within corporate limits. 2§ '07 p.624, 7 Aug.
- b **Me.** Amdg. R.S.'03 ch.4 §71: towns may maintain private burying grounds established before 1880. 1§ '07 ch.59, 13 Mar.

1055

**Public cemeteries**

- a **Ill.** Amdg. '79 p.63 §1 rel. to election of cemetery trustees. 1§ '07 p.57, 22 Mar.
- b **Ind.** Cities owning cemeteries may transfer management to bd. of regents; latter to be corporate body; powers. 4§ '07 ch.89, 1 Mar.

1056

*Cemetery associations*

- a **Minn.** Amdg. R.L.'05 §2953: bond of trustee of cemetery association to be for at least \$500 [\$5000]. '07 ch.211, 15 Apr.
- b **Tex.** Organization of corp. for maintaining cemetery. 8§ '07 ch.23, 16 Mar.
- c **Wis.** Amdg. S.'98 §1443: cemetery association may change name, number of trustees, date of election of trustees. 1§ '07 ch.179, 6 June

1057

*Location. Vacation*

- a **Me.** Amdg. R.S.'03 ch.20 §8: cemetery not to be extended within 25 rods of house *or well* against written protest of owner. 1§ '07 ch.60, 13 Mar.
- b **Neb.** Cemetery association may dispose of land found unsuitable for cemetery use, on license of District Court. 9§ '07 ch.27, 29 Mar.
- c **N. D.** Amdg. R.C.'05 §4587 rel. to vacating cemetery plat. 1§ '07 ch.44, 14 Mar.
- d **Tenn.** Cemetery company may dispose of land not used or adapted for its purposes. 1§ '07 ch.94, 15 Feb.

1058

*Burial lots*

- a **N. Y.** Amdg. membership corp. law '95 ch. 559 §49, 52: procedure for sale of unused portion of burial plot for unpaid assmt. 2§ '07 ch.486, 11 June
- b **Vt.** Where private burial grounds become unsightly attention of persons interested to be called by publication on request of 3 taxpayers; after 3 months becomes town charge. 1§ '06 ch.115, 22 Nov.

1059

*Cemetery trust funds*

- a **Ct.** Cemetery association may create fund for care of property; to be invested under trust fund regulations; annual report to Probate Court. 2§ '07 ch.58, 1 May

1060

*Injury to cemetery. Grave robbing*

- a **Ark.** Felony to mine under cemetery. 3§ '07 ch.58, 28 Feb.

1061

*Cremation*

- a **Mass.** Amdg. R.L. ch.78 §37 rel. to cremation of bodies: where death occurs without state cremation to be regulated by State Bd. of Health. 1§ '07 ch.138, 21 Feb.
- b **N. J.** Amdg. '96 ch.185 §6 rel. to incorp.; cremation companies to obtain license from State Bd. of Health. 1§ '07 ch.12, 26 Mar.

1062

*Dissection*

- a **Cal.** Amdg. P.C. §3093-95: physicians *and osteopaths* authorized to obtain and dissect dead bodies. 3§ '07 ch.445, 21 Mar.
- b **Mo.** Amdg. R.S.'99 art.2 rel. to use of unclaimed human bodies by medical schools. 8§ '07 p.356, 19 Mar.

## PUBLIC HEALTH

1062

- c **N. J.** Incorpor. of pathological and anatomical associations; public officers to deliver unclaimed human bodies to such associations for scientific purposes; regulations; penalties. 15§ '07 ch.247, 15 June
- d **Tex.** Creating Anatomical Bd. to consist of professors of anatomy and surgery of incorporated medical schools; to superintend distribution and dissection of unclaimed human bodies; regulations. 10§ '07 ch.53, 3 Apr.
- e **U.** Unclaimed body to be forwarded to Medical Dept. of State University; may be used for scientific purposes after 60 days. 4§ '07 ch.8, 21 Feb.

1064

### Transportation of dead bodies

- a **Wis.** Amdg. S.'98 §4608a: State Bd. of Health to make rules for transportation of dead which shall comply with rules of American Association of Gen. Baggage Agents, National Funeral Directors Association and conference of state and provincial bds. of health. 1§ '07 ch.57, 25 Apr.

## 1065 Nuisances (general). Miscellaneous health regulations

- a **Kan.** State and local bds. of health may inquire into and cause removal of nuisances likely to affect health. 2§ '07 ch.383, 28 Feb.
- b **Minn.** Abatement of nuisance by local health officer. 2§ '07 ch.425, 25 Apr.
- c **U.** Amdg. '99 ch.45 §3 rel to abatement of nuisances by State Bd. of Health: may bring action by Atty. Gen. 1§ '07 ch.54, 14 Mar.

1069

### Disposal of carcasses

*See also 1150, Communicable diseases of animals*

- a **Cal.** Amdg. Pen.Ç. §374 rel. to putting dead animals in public places. 1§ '07 ch.55, 1 Mar.

1071

### Drainage

*See also 1192, Drains; 2661, Sewerage*

- a **Wash.** City of 1st or 2d class may fill private property as sanitary measure where below drainage level. 6§ '07 ch.243, 18 Mar.

1073

### Expectoration

- a **Cal.** Msdr. to spit in public places and conveyances. Adds §372a to Pen.C. 1§ '07 ch.82, 4 Mar.
- b **Del.** Msdr. to expectorate on floor of railway car. 3§ '07 ch.253, 21 Mar.
- c **Mass.** Amdg. '06 ch.165 §1, 2 rel. to expectorating in public places: additional places where prohibited; officer authorized to serve criminal process may arrest. 2§ '07 ch.410, 14 May
- d **Mass.** Amdg. R.L. ch.104 §25, 41: factories to be well lighted and cuspidors provided of number and form approved by local bd. of health. 2§ '07 ch.503, 13 June

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- e **N. M.** Prohibiting expectorating in public places; regulations as to consumptives; penalty. 5§ '07 ch.86, 21 Mar.
- f **Tenn.** Proprietor of store, factory, hotel or theater to furnish cuspidors; msdr. to spit in public place; under supervision of State Bd. of Health. 7§ '07 ch.594, 15 Apr.
- g **Vt.** Prohibiting expectorating in public places. 2§ '06 ch.187, 15 Dec.

**Garbage, see 2663(5)**

1079

## Pollution of water

*See also 932, Public health; 2003, Shellfish; 2661, Sewerage*

- a **Kan.** Duties of State Bd. of Health in regard to preservation of purity of water supplies. 12§ '07 ch.382, 13 Mar.
- b **Me.** Amdg. R.S.'03 ch.129 §1 which prohibits pollution of water supplies. 1§ '07 ch.104, 22 Mar.
- c **Mass.** Amdg. R.L. ch.75 §113 rel. to prevention of pollution of water supplies by State Bd. of Health: may delegate authority to issue permits to local bds. and officers. 1§ '07 ch.467, 29 May
- d **Mon.** State Bd. of Health to adopt and enforce rules to prevent pollution of water supplies used for domestic purposes; to establish experiment station. 15§ '07 ch.177, 8 Mar.
- e **Nev.** Amdg. '03 ch.122 §1 which prohibits pollution of waters by person, corp. or local officer: state officer included. 1§ '07 ch.57, 12 Mar.
- f **N. J.** Cities may protect water supply without limits by systems of sewers approved by State Sewerage Commn.; powers. 11§ '07 ch.28, 4 Apr.
- g **N. J.** State Sewerage Commn. to issue notices to stop pollution of waters; may apply for injunction to enforce. 4§ '07 ch.135, 7 May
- h **N. C.** Amdg. Revisal '05 §3056: msdr. for corp. selling water to public to fail to remove unsanitary conditions from watershed after notice; penalties; counties excepted. 2§ '07 ch.963, 11 Mar.
- i **S. C.** Private and mun. water companies to have water examined every 3 months under supervision of State Bd. of Health, results to be published; State Bd. to inspect watersheds, condition of same to be published on failure to remedy dangerous conditions; penalty. 4§ '07 ch.253, 18 Feb.
- j **Wash.** Amdg. '99 ch.70 rel. to jurisdiction of municipality over sources of water supply: special policemen. 1§ '07 ch.227, 16 Mar.
- k **Wy.** Prohibiting pollution of waters. Rep. R.S.'99 §2146, 2148. 3§ '07 ch.41, 16 Feb.

1082

## Signs. Advertisements

*See also 1137, Samples*

- a **Ia.** Municipalities may regulate and license public dance halls, skating rinks, fortune tellers and billboards. 2§ '07 ch.32, 4 Apr.
- b **Wis.** City may license, limit size and determine location of billboard. Adds S.'98 §925 subdiv.52 ¶71. 1§ '07 ch.302, 21 June

## PUBLIC SAFETY

1083

### Slaughterhouses. Butchers

- a **Col.** Prohibiting slaughtering for human food of diseased animals; slaughter houses to be sanitary; State Veterinary Surgeon to enforce. 13§ '07 ch.60, 1 Apr.
- b **Pa.** Licensing and regulation of slaughterhouses and places where meat and fish are prepared or exposed for sale in cities of 1st class. 6§ '07 ch.101, 26 Apr.
- c **Tex.** Amdg. R.C.S.'95 art.4943: county clerk may destroy reports of slaughterhouse after 5 years; slaughterhouse to register with county clerk under penalty. Adds art.4943a. 2§ '07 ch.127, 18 Apr.

### Weeds

See 1854, Agriculture; 2744, Roads

1090

## Public safety

Protection of human life from accidents, casualties etc. See also 1313, Railroads; 1368, Street railways; 2052, Safety of employees

- a **Pa.** Boroughs may establish building regulations; fire limit. 3§ '07 ch.147, 8 May

1092

### Fires

See also 1322, Railroads; 1893, Forest fires; 2603, Fire departments

- a **N. C.** Corp. Comn. may regulate shipment of inflammable and explosive articles. 1§ '07 ch.471, 11 Mar.
- b **S. D.** Amdg. P.C. §3145 requiring operators of steam threshing machines to give bond for loss by fire or to telegraph line from machine: may take out fire insurance policy payable to party damaged in lieu thereof. 2§ '07 ch.80, 18 Feb.
- c **S. D.** Amdg. P.C. §3146: msdr. to fail to give bond *or take out insurance* for loss by steam threshing machine; *penalty \$100 to \$300.* 2§ '07 ch.81, 9 Mar.
- d **Wash.** City of 1st class may lay salt water mains for protection from fire; assmt. of property benefited. 2§ '07 ch.179, 15 Mar.

1093

### Fire marshals. Inspection

- a **Minn.** Amdg. '05 ch.331 §8 rel. to fire marshal: annual report to Gov. [Insurance Comr.]; *deputy.* 1§ '07 ch.451, 26 Apr.
- b **S. D.** Comr. of insurance and chief of fire dept. or mayor of village or town having no fire dept. or township clerk to investigate origin of fires; expense to be paid by additional  $\frac{1}{2}\%$  tax on gross premiums of insurance companies. 10§ '07 ch.167, 7 Mar.
- c **Tenn.** Insurance Comr. and sheriff may investigate causes of fire. 6§ '07 ch.460, 15 Apr.
- d **Wis.** Creating State Fire Marshal: appointed by Gov.; term 6 years; salary \$3000; to investigate origin of fires causing loss of \$25; local authorities to assist; may order building to be kept in safe condition; tax on fire insurance companies to defray expense. Adds S.'98 §1946g-q. 11§ '07 ch.228, 18 June

1096

**Fire alarms**

- a **Ia.** Amdg. C. §2467-68 as to penalty for removal of fire apparatus and giving false alarms. 2§ '07 ch.125, 23 Feb.
- b **Mo.** Unlawful to turn in false alarm of fire or tamper with fire alarm box; penalty. 1§ '07 p.243, 18 Feb.

6601

**Buildings: sanitation and safety**

*See also 2052, Safety of employees; 2235, Schools*

- a **Ark.** City of 1st class may regulate building of houses and order their raising or removal. 2§ '07 ch.352, 22 May
- b **Mass.** Amdg. R.L. ch.104 §25, 41: exits from public buildings etc. to be marked with 5 inch letters; factories to be well lighted and cuspidors provided of number and construction approved by local bd. of health. 2§ '07 ch.503, 13 June
- c **Mass.** Construction, alteration and maintenance of buildings in Boston. Rep. '92 ch.419. 133§ '07 ch.550, 22 June
- d **Minn.** City of 50,000 may fix maximum expenditures of engineering and building inspection depts. and include same in annual levy. 2§ '07 ch.194, 15 Apr.

1100

**Elevators**

- a **Ct.** Elevator car to have opening in roof to allow egress in case of accident; penalty. 2§ '07 ch.156, 28 June
- b **Me.** Elevatormen under 15 years not to be employed; nor under 18 where speed of car is 200 feet per minute; penalty. 2§ '07 ch.4, 6 Feb.
- c **Pa.** Authorizing creation of bureaus of elevator inspection in cities; powers; penalties. 4§ '07 ch.225, 28 May

1102

**Exits**

1103

**Fire escapes**

- a **Mich.** Amdg. '01 ch.113t. §6: fire escapes required on theaters, schools, halls, apartment houses and public buildings over 2 stories in height. 2§ '07 ch.140, 12 June
- b **Mon.** Amdg. C.C. §2505-6 rel. to fire escapes in hotels. 3§ '07 ch.53, 28 Feb.
- c **N. H.** Hotels of 3 stories to have iron fire escapes; exits thereto to be marked by red rights; penalty. 3§ '07 ch.137, 5 Apr.
- d **Tex.** Requiring fire escapes for hotels etc. 9§ '07 ch.80, 6 Apr.
- e **Vt.** Amdg. S. §4701: fire escapes to be accessible to each room above first story of hotels and theaters *unless state's atty. deems exits sufficient.* 1§ '06 ch.171

1104

**Fire limits**

- a **Kan.** Cities of 2d class may prescribe fire limits by ordinance. 1§ '07 ch.124, 9 Mar.
- b **Pa.** Boroughs may regulate and prevent erection of wooden buildings. 1§ '07 ch.164, 23 May



## PUBLIC SAFETY

### 1105 **Hight. Street alinement**

- a **Ct.** Hight of buildings adjacent to Capitol limited to 90 feet.  
2§ '07 ch.186, 27 June
- b **Wis.** Amdg. '03 ch.46 §1: city [of 1st class] may establish building lines. 1§ '07 ch.619, 13 July

### 1108 **Hotels. Lodging houses**

- a **N. D.** Gov. to appoint Inspector of Hotels; salary \$1800; term 2 years; regulations as to fire escapes and extinguishers, elevator shafts and sanitation; inspection fee; penalty. 16§ '07 ch.135, 15 Mar.
- b **S. D.** Creating Hotel Inspector; appointed by Gov. for 2 years; fees; rules for protection in case of fire; plumbing; penalties. 17§  
'07 ch.165, 25 Feb.
- c **Wis.** Tenement, lodging and boarding house act. Adds S.'98 §1636 subdiv.150-76. 27§ '07 ch.269, 19 June

### 1110 **Tenement houses**

- a **N. Y.** Amdg. '01 ch.334 §41 which prohibits bakeries or fat boiling in tenement house except under certain conditions. 1§  
'07 ch.622, 19 July
- b **N. Y.** Amdg. '01 ch.334 §141 rel. to prostitution in tenement house in city of 1st class. 1§ '07 ch.681, 20 July
- c **Pa.** Those conducting tenement houses to procure license from mayor in cities of 1st class; Dept. of Public Health and Charities to make quarterly inspection; penalty. 8§ '07 ch.300, 7 June
- d **Wis.** Tenement, lodging and boarding house act. Adds S.'98 §1636 subdiv.150-76. 27§ '07 ch.269, 19 June

### 1112 **Floods. Life saving**

*See also* 1180, Water storage; 1197, Levees and dikes

### 1113 **Floods**

- a **Cal.** Organization of districts for protection of lands from overflow of unnavigable streams. 92§ '07 ch.25, 23 Feb.
- b **Cal.** Amdg. '07 ch.25 §6 rel. to organization of districts for protection of lands from overflow of unnavigable streams: nonresident landowners may vote. 1§ '07 ch.464, 21 Mar.

### **Dams and reservoirs, see** 1180

### 1117 **Explosives**

*See also* 1493, Petroleum products

- a **Id.** Explosive containing nitroglycerine to be stamped with proportion thereof, and date and place of manufacture; penalty. 3§  
'07 p.314, 13 Mar.
- b **Kan.** Gasoline in quantities less than 250 gallons to be kept in red receptacles; penalty \$5 to \$25. 2§ '07 ch.191, 9 Mar.
- c **Neb.** Handling and selling of gasoline, benzine and other explosive liquids. 5§ '07 ch.86, 3 Apr.
- d **N. M.** Dynamite to be marked; penalty. 2§ '07 ch.106, 21 Mar.

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- e **N. C.** Corp. Comn. may regulate shipment of inflammable and explosive articles. 1§ '07 ch.471, 11 Mar.

1118

## Air guns, toy pistols, fireworks etc.

*See also 262, Weapons*

- a **Ia.** Prohibiting sale of toy pistols, dynamite caps, blank cartridges, or firecrackers over 5 inches long. 2§ '07 ch.185, 18 Mar.
- b **Minn.** Msdr. to sell blank cartridge firearm, blank cartridges, dynamite caps and firecrackers over 3 inches long and ½ inch in diameter. 1§ '07 ch.28, 5 Mar.
- c **N. H.** Prohibiting sale of firecrackers over 6 inches long and 1 inch diameter, or cane or potash dextrine tablets; penalty. 1§ '07 ch.87, 26 Mar.

1124

## Miscellaneous

1128

### Boilers and engineers

*See also 1777, Boiler insurance*

- a **Mass.** 5 additional members of boiler inspection dept. of district police to be appointed by Gov. 1§ '07 ch.451, 24 May

1129

### INSPECTION

- a **Mass.** Establishing Bd. of Boiler Rules; 5 members appointed by Gov. and Council; term 3 years; salary not over \$1000; to formulate rules for inspection of boilers by district police and inspectors of boiler insurance companies. 30§ '07 ch.465, 29 May
- b **Mon.** Amdg. P.C. §552 rel. to assistants and clerk to State Boiler Inspector. 2§ '07 ch.45, 26 Feb.
- c **N. Y.** Amdg. railroad law '90 ch.565 §49a rel. to inspection of locomotive boilers: qualifications of inspectors; requirements and care of boilers; penalty. Adds §49c. 2§ '07 ch.208, 25 Apr.

1130

### LICENSES

- a **Me.** Persons having charge of steam plants in schools, churches or other public buildings to be examined and certified to by mun. authorities; penalty. 5§ '07 ch.82, 20 Mar.
- b **Mass.** Amdg. R.L. ch.102 §78, 82, 84-85' rel. to licensing engineers and firemen. 4§ '07 ch.373, 4 May

1137

### Samples

*See also 953, Poisons*

- a **Ind.** Prohibiting distribution from house to house or giving to child under 16 years samples of medicine or any deleterious substance; penalty. 4§ '07 ch.134, 9 Mar.
- b **Ia.** Msdr. to deposit samples of drugs where liable to be found by children. 2§ '07 ch.182, 2 Apr.
- c **Me.** Indiscriminate distribution of samples of deleterious drugs prohibited; immoral advertising. 2§ '07 ch.189, 28 Mar.
- d **Mass.** Prohibiting distribution in streets or from house to house of harmful drugs; penalty. 2§ '07 ch.180, 8 Mar.

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1137

- e **Mich.** Msdr. to distribute drugs free. 2§ '07 ch.148, 12 June
- f **Pa.** Msdr. to distribute sample of drug or candy near house or in street. 2§ '07 ch.142, 8 May
- g **Vt.** Prohibiting distribution of samples of medicine so that children may get same; penalty \$100 to \$300. 1§ '06 ch.186, 10 Dec.

1139

### *Steamboats. Vessels*

*See also 1800, Navigation*

- a **N. J.** Prosecution of offenses against '06 ch.91 regulating use of power vessels. 10§ '07 ch.155, 10 May
- b **N. J.** Amdg. '06 ch.164 §28 rel. to inspection and license fees of power boats. 1§ '07 ch.164, 11 May
- c **N. Y.** Amdg. navigation law '97 ch.592 §3: transfer of inspectors of steam vessels from Dept. of Public Works to Dept. of Labor during certain periods of year. 1§ '07 ch.520, 17 June
- d **Wash.** Regulation and inspection of steam vessels not under U. S. jurisdiction; Labor Comr. to enforce. 28§ '07 ch.200, 15 Mar.

1144

### Communicable diseases of animals

- a **Ala.** Establishing State Live Stock Sanitary Bd.; to consist of Comr. of Agric. and Industries, State Health Officer, professor of animal industry and professor of veterinary science of Ala. Polytechnic Institute; latter to be State Veterinarian; regulations for quarantine and importation of live stock and prevention of infectious disease; annual report to Gov. 15§ '07 p.413, 12 Mar.
- aa **Ala.** Live stock sanitary law not to apply to county majority of which is under stock law. Adds '07 p.413 §16. 1§ '07 p.582, 6 Aug.
- b **Ark.** To prevent introduction and spread of contagious diseases of animals; bd. of control of Agric. Experiment Station to enforce. Rep. '97 ch.6 §2, 4; '05 ch.221 §4, 5. 19§ '07 ch.409, 28 May
- ba **Cal.** Amdg. '99 ch.96 §1-2 rel. to State Veterinarian: salary \$3000 [\$2000]; necessary [\$500 for] expenses; salary of assistant \$1800 [\$1200]. 2§ '07 ch.506, 23 Mar.
- c **Col.** Inspection of cattle: service of warrant on railroad corp.; collection of fine by execution; penalty for selling diseased animal after notification. Amds. '03 ch.170 §12, 18, 19. 4§ '07 ch.230, 9 Apr.
- d **Ia.** Amdg. C. §2529-30, 2533-34, 2538 rel. to State Veterinary Surgeon: office expenses; experts; sec.; notice of contagious disease; compensation. 5§ '07 ch.133, 4 Apr.
- e **Mon.** Record of animals handled to be kept in market for sale of live stock; open to inspector; quarantine of diseased animals; proceeds of sale of strays to be paid to State Treasurer; penalty. 6§ '07 ch.96, 5 Mar.
- f **Mon.** Requiring inspection of horses, mules and asses before shipment out of county or state; penalty. 5§ '07 ch.125, 6 Mar.
- g **Mon.** Establishing State Live Stock Sanitary Bd. to consist of presidents of Bds. of Stock Comrs., of Sheep Comrs. and of Health; State Veterinary Surgeon to be sec. and chief executive sanitary officer; prevention and suppression of contagious diseases. 19§ '07 ch.152, 7 Mar.

1144

- h** **Mon.** Amdg. P.C. §3000, 3013 rel. to State Veterinary Surgeon: term 4 [2] years; salary \$3000 [\$2500]; qualifications. 3§  
'07 ch.160, 7 Mar.
- i** **N. D.** Establishing State Live Stock Sanitary Bd.: 5 members appointed by Gov. for 5 years; \$3 per diem; employees; destruction of diseased animals; experts; annual report to Gov.; \$7500 annually; penalty. 21§  
'07 ch.169, 15 Mar.
- j** **Pa.** Deputy State Veterinarian; appointed by Gov. for 4 years; salary \$2100. 1§  
'07 ch.195, 25 May
- k** **Pa.** \$29,000 to State Live Stock Sanitary Bd. for site and buildings for research on diseases of domestic animals. 2§  
'07 ch.469, 13 June
- n** **S. C.** Bd. of Trustees of Clemson Agric. College may investigate diseases of domestic animals, establish quarantines and regulate transportation of stock; penalty for violation of its rules. 2§  
'07 ch.249, 13 Feb.
- p** **Tenn.** Prevention of communicable diseases of cattle: movement of cattle; county live stock comrs.; coöperation with federal govt.; powers of grand jury. Amds. '01 ch.156 §4, 12, 13. 6§  
'07 ch.68, 14 Feb.
- q** **Vt.** Creating office of Cattle Comr.; importation of diseased cattle prohibited; inspection by comr.; condemnation and destruction of diseased domestic cattle; indemnity. Rep. '02 ch.85, '04 ch.146. 7§  
'06 ch.178, 15 Dec.
- r** **Vt.** Cattle Comr. may contract with fertilizer plant for destruction of condemned cattle; salary of comr. \$1200 [in lieu of \$4 per diem]. In amdt. of '06 ch.178. 4§  
'06 ch.179, 19 Dec.
- s** **Wash.** Rep. '95 ch.143 rel. to prevention of spread of diseases among cattle. 1§  
'07 ch.68, 5 Mar.
- t** **Wis.** Amdg. '01 ch.440 §3 to be S.'98 §1492b: diseased animal slaughtered to be appraised *at market value*, not to exceed \$50. 1§  
'07 ch.273, 19 June
- u** **Wis.** Amdg. S.'98 §1492 rel. to State Veterinarian: not to be interested in sale of drugs to cure contagious diseases. 1§  
'07 ch.274, 19 June

1147

### Indemnity

- a** **Me.** Shipper to receive 50% of value of cattle condemned for tuberculosis, not to exceed \$50 per head. 3§  
'07 ch.57, 13 Mar.
- b** **N. D.** Indemnity for animal destroyed for being affected with glanders; appraisal not exceed \$100; ½ appraised value. 5§  
'07 ch.170, 12 Mar.
- c** **Vt.** Owners of cattle shipped to Mass. and condemned there under tuberculin test to be indemnified not to exceed \$50 per animal. Rep. '02 ch.86. 4§  
'06 ch.177, 19 Dec.

1148

### Importation

- a** **Minn.** Prohibiting importation of uninspected live stock. 4§  
'07 ch.355, 23 Apr.

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1148

- b **N. Y.** Amdg. agric. law '93 ch.338 §60, 70d: Comr. of Agric. may require information as to cattle imported at place subject to federal inspection. 2§ '07 ch.281, 4 May
- c **Wis.** Amdg. '05 ch.272 §1 to be S.'98 §1494 subdiv. 71 rel. to importation of cattle: in lieu of inspection certificate, cattle *shall* [may] *on request of owner* be shipped in quarantine. 1§ '07 ch.319, 21 June

1149

### Exportation

- a **Mon.** Cattle to be inspected before shipment from state; msdr. for railroad to handle unless furnished with certificate of inspection. 4§ '07 ch.8, 7 Feb.

1150

### Disposal of carcasses

*See also 1069, Nuisances*

- a **Kan.** Amdg. G.S.'01 §2333: owner of hog which died of *contagious* disease to bury same *to depth of 3 feet* or burn within 48 hours. 2§ '07 ch.192, 7 Mar.

1151

### Special diseases

- a **Cal.** Msdr. to sell cattle infested with boophilus annulatus tick; State Veterinarian to dip infested animals at expense of owner where latter refuses after notification. 11§ '07 ch.421, 21 Mar.

1153

### Anthrax. Black leg

- a **Del.** Amdg. '97 ch.451 rel. to burial of animals dying from anthrax. 3§ '07 ch.138, 5 Mar.

1155

### Glanders. Farcy

- a **Kan.** Amdg. '05 ch.495 §23 rel. to fees of sheriffs and constables for destroying glandered horses. 2§ '07 ch.406, 9 Mar.

1163

### Rabies

- a **Ct.** Local health officer to make rules for confinement and destruction of dogs during epidemic of rabies; municipality to furnish Pasteur treatment to person injured; reimbursement by state from dog tax; penalty. 4§ '07 ch.170, 28 June

1167

### Tuberculosis

- a **Neb.** Investigation by Neb. Experiment Station of tuberculosis in hogs; \$2500. 2§ '07 ch.178, 4 Apr.
- b **Wis.** Msdr. to use tuberculin to prevent reaction when cattle are tested for tuberculosis prior to sale. Adds S.'98 §4470m. 1§ '07 ch.304, 21 June

1169

### Special animals

1171

### Bees

- a **Minn.** Gov. to appoint State Inspector of Apiaries; term 2 years; \$1000 for compensation and inspection; inspection of hives; sale of foul broods prohibited; penalties; annual report to Gov. 6§ '07 ch.160, 12 Apr.

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- b **Mo.** State Bd. of Agric. to appoint State Inspector of Apiaries at \$4 per diem; duties. 6§ '07 p.67, 8 Mar.
- c **N. M.** Creating precinct inspector of bees to eradicate infectious diseases; method of enforcing regulations; penalties. 12§ '07 ch.30, 16 Mar.
- d **U.** Amdg. '03 ch.119 §5: bees afflicted with foul brood not to be moved to another for year after free therefrom. 1§ '07 ch.110, 14 Mar.
- e **Wy.** County comrs. on petition of 5 beekeepers to appoint inspector of bees; duties; importation of diseased swarm prohibited; penalties. 7§ '07 ch.32, 15 Feb.

1173

## Hogs

- a **Neb.** Investigation by Neb. Experiment Station of tuberculosis in hogs; \$2500. 2§ '07 ch.178, 4 Apr.

1175

## Horses

- a **Neb.** Investigation by Neb. Experiment Station of malarial or swamp fever in horses and tuberculosis in hogs; \$2500. 2§ '07 ch.178, 4 Apr.

1177

## Sheep

- a **Ari.** "An act for the sanitary protection of sheep." Rep. R.S. '01 §3052-57. 27§ '07 ch.70, 21 Mar.
- b **Cal.** Creating State Bd. of Sheep Comrs.; to inspect sheep and quarantine and dip those affected with scabies; annual report to Gov.; penalties. 16§ '07 ch.495, 23 Mar.
- c **Mon.** Generally amdg. '05 ch.45 rel. to inspection, quarantine etc. of sheep. 11§ '07 ch.173, 8 Mar.
- d **Nev.** Creating State Bd. of Sheep Comrs.: 3 members appointed by Gov.; term 4 years; salary \$2500; annual report to Gov.; inspection; quarantine; dipping. 18§ '07 ch.120, 26 Mar.
- e **Or.** Creating Bd. of Sheep Comrs.; to appoint State Sheep Inspector; to suppress infectious and contagious diseases; regulations for inspecting, quarantining, dipping and treating; penalties. 31§ '07 ch.223, 25 Feb.
- f **U.** Generally amdg. '05 ch.26 rel. to State Bd. of Sheep Comrs. 15§ '07 ch.158, 25 Mar.
- g **Wash.** Amdg. '01 ch.72 §1: State Veterinarian may appoint county sheep inspector when county comrs. fail. 1§ '07 ch.112, 11 Mar.

1180

## Control of waters

See also 1113, Floods; 1384, Canals; 1388, Ferries and fords; 1393, Bridges; 1800, Navigation

- a **Ala.** Companies organized to develop water power and electrically transmit same may construct dams and locks in navigable rivers. 1§ '07 ch.358, 7 Mar.
- b **Ala.** Amdg. '03 p.365 §1, 2 rel. to right of eminent domain of companies supplying power produced by water and defining their duties to public. Adds §8½, 9½. 4§ '07 p.439, 12 Mar.
- c **Cal.** Joint investigation with federal govt. of water resources of state; \$68,000, but not to exceed that expended by U. S. 4§ '07 ch.161, 11 Mar.

## CONTROL OF WATERS

1180

- d **Kan.** Joint investigation by state and federal govt. of water resources of Kan.; \$3000. 4§ '07 ch.381, 9 Mar.
- e **Me.** Gov. and Council may employ mechanical experts to test invention for utilizing tidal power; \$500. '07 r.78, 6 Mar.
- f **N. Y.** Referring to next Legis. amdt. to Const. 1894 art.7 §7: Legis. may authorize construction of water storage dams in forest preserve for public purposes. Not repassed by Legis. of 1907. '06 p.1895, 3 May
- g **N. Y.** Amdg. '04 ch.734 §4, 11, 12 rel. to power of River Improvement Comn. to perform work and issue certificates and bonds in payment therefor. 3§ '07 ch.354, 22 May
- h **N. Y.** State Water Supply Comn. to devise plans for progressive development of water power of state for public use under state ownership; final report Feb. 1909. 13§ '07 ch.569, 12 July
- i **N. C.** Giving flume companies right of eminent domain; declared public carriers of freight and subjected to Corp. Comn. Amds. Revisal '05 §2575-76, 2597. 4§ '07 ch.39, 25 Jan.
- j **Wash.** County comrs. may grant franchise to lay water pipes along highway. 1§ '07 ch.238, 18 Mar.
- k **Wis.** To protect owner of water power below reservoirs operated to regulate flow of river. Adds S.'98 §1772 subdiv.8. 1§ '07 ch.298, 20 June

1183

### Irrigation. Water rights in arid states

- a **Cal.** Amdg. C.C. §1416: where condemnation proceedings necessary or conflicting claims arise party appropriating water to have 60 days to commence work after final determination. 1§ '07 ch.429, 21 Mar.
- b **Col.** Requesting legislation by Cong. to make possible reclamation of former Southern Ute Reservation. '07 p.631, 19 Feb.
- c **Id.** Msdr. to injure irrigation ditch or appurtenances. 6§ '07 p.237, 12 Mar.
- d **Id.** Application to change place of use of water for irrigation to be made to State Engineer. 1§ '07 p.314, 13 Mar.
- e **Id.** Amdg. '03 p.223 §29 rel. to apportioning compensation of water master among users. 1§ '07 p.482, 15 Mar.
- f **Id.** Amdg. '03 p.223 §11: right to use of water for irrigation purposes forfeited on failure to apply therefor in 5 [2] years; proviso. 1§ '07 p.507, 15 Mar.
- g **Id.** Amdg. '01 p.191 §8, 9 rel. to right of way over state land for irrigation ditches. 2§ '07 p.526, 15 Mar.
- h **Id.** Amdg. '03 p.223 §3, 23 rel. to diversion of water: cancelation of permit; water masters. 2§ '07 p.532, 15 Mar.
- i **Mon.** Requesting Cong. to restrict use of water by Indians of Fort Belknap reservation and to open surplus land of Blackfoot reservation to settlement. '07 p.590, 26 Feb.
- j **Mon.** Appropriation of water in streams where rights have been adjudicated. 14§ '07 ch.185, 9 Mar.

1183

- k Nev.** Creating State Engineer: appointed by Gov.; salary \$2400; gen. supervision of irrigation; further duties of State Bd. of Irrigation; regulations for use of water. Rep. '03 ch.4; '05 ch.46. 33§  
'07 ch.18, 26 Feb.
- n Nev.** Appropriating \$2000 for investigation of loss of water from irrigating ditches and best methods of distributing water for irrigation on condition similar sum be appropriated by U. S.; publication of reports. 4§  
'07 ch.199, 29 Mar.
- p N. M.** Creating Territorial Engineer; to supervise use of waters; procedure for securing water rights; creating Bd. of Water Comrs. to determine appeals from Territorial Engineer. Rep. '05 ch.102. 73§  
'07 ch.49, 19 Mar.
- r N. D.** Defining water course. 2§  
'07 ch.271, 8 Mar.
- s S. D.** Creating State Engineer; appointed by Gov. for 6 years salary \$2000; to make regulations for acquisition and use of water rights; 3 water divisions each under comr. appointed by Gov. for 6 years, \$5 per diem; water comrs. and State Engineer to form Bd. of Water Comrs. to apportion waters; various regulations as to water rights. 60§  
'07 ch.180, 7 Mar.
- t U.** Amdg. '01 ch.59 §2: authorizing loan of Reservoir Land Grant Fund for purpose of construction of reservoirs, public or private; terms. 1§  
'07 ch.13, 1 Mar.
- u U.** Msdr. to interfere with flow of water in stream or ditch under control of water comr. 1§  
'07 ch.60, 14 Mar.
- v U.** Amdg. '05 ch.108 §36, 42, 67 rel. to water rights and irrigation: correction of application; extension of time for completing works; fees of State Engineer. 3§  
'07 ch.156, 25 Mar.
- w Wash.** Declaring unconst. Ballinger's Ann. C.&S. '97 §4114, which gives person on whose land waters rise prior right of use, as regards lower riparian owners of land patented before enactment. Takes property without due process of law.  
Nielson v. Sponer 89 P. 155 (1907)
- x Wash.** Comr. to be appointed by County Court to regulate use of natural water course to carry stored waters. 6§  
'07 ch.144, 13 Mar.
- y Wash.** Granting right of way over state land for irrigation; State Land Comrs. to ascertain damage. 5§  
'07 ch.161, 13 Mar.
- z Wis.** Directing Wis. Genealogical and Natural History Survey to experiment in road building; to survey lead and zinc region and water power; \$20,000. Adds S.98 §392m. 1§  
'07 ch.641, 15 July
- za Wis.** Referring to next Legis. amdt. to Const. 1848 art.8 §10: Legis. may appropriate money, not to exceed 2/10 mill of taxable property annually to develop water power and forests.  
'07 p.1293
- zb Wy.** Irrigation rights and duties of State Engineer and Water Comrs. in regard thereto. Amds. sundry laws. 28§  
'07 ch.86, 20 Feb.

1184

*Arid land grant*

- a Col.** Amdg. '95 ch.70 §18 rel. to acceptance of benefits of U. S. desert land act of '94: Land Comrs. to apply for patent on proof of irrigation facilities without waiting for settlement or cultivation. 1§  
'07 ch.169, 9 Apr.



## CONTROL OF WATERS

1184

- b **Mon.** Carey Land Act Bd. may secure cancelation of arid land bonds and accept bonds in payment for canals, water rights, lands and appurtenances, to compromise claims and make contracts for reclamation and settlement of arid lands. 1§ '07 ch.117, 6 Mar.

1185

### *Districts. Local construction*

- a **Cal.** Irrigation district may provide for drainage necessitated by irrigation. 2§ '07 ch.298, 18 Mar.
- b **Col.** Amdg. '05 ch.113 §4, 6, 21 rel. to irrigation districts. 4§ '07 ch.194, 3 Apr.
- c **Id.** Giving irrigation district right of eminent domain. 5§ '07 p.221, 12 Mar.
- d **Id.** Amdg. '03 p.150 rel. to formation of irrigation districts. 32§ '07 p.484, 15 Mar.
- e **Mon.** Organization of irrigation districts. 95§ '07 ch.70, 4 Mar.
- f **N. M.** Rep. '03 ch.32 §11 rel. to election of community ditch officers in counties of 1st class. 1§ '07 ch.32, 16 Mar.
- g **U.** District supervisors and water comrs. to give bond to state in \$1000. 1§ '07 ch.59, 14 Mar.
- h **Wy.** Amdg. R.S.'99 §855 rel. to division supts. of water divisions: salary \$1500 [\$1200]; *not to engage in business that conflicts with duties.* 1§ '07 ch.49, 16 Feb.
- i **Wy.** Organization and powers of irrigation districts. 45§ '07 ch.72, 19 Feb.

1186

### *Irrigation companies and associations.*

- a **Mon.** Amdg. C.C. §448: meeting of stockholders to elect directors of corp. furnishing water to stockholders only, may be held in director districts. 1§ '07 ch.151, 7 Mar.
- b **S. D.** County comrs. may accept as public records books of water users' associations. 2§ '07 ch.249, 7 Mar.
- c **U.** County recorder to record articles of incorp. and stock subscriptions of water users' associations. 1§ '07 ch.30, 11 Mar.

1188

### *Waste*

- a **Mon.** Amdg. C.C. §1884 rel. to return of surplus water diverted from stream. 2§ '07 ch.56, 1 Mar.

1189

### *Artesian wells*

- a **Cal.** Prohibiting waste of water from artesian wells; penalty. 6§ '07 ch.101, 6 Mar.
- b **S. D.** Lessee of school or public land to receive half value of artesian well sunk by him, at expiration of lease. 1§ '07 ch.227, 7 Mar.
- c **U.** Land comrs. to conduct experiments for sinking wells for procuring water for domestic purposes. 3§ '07 ch.19, 8 Mar.

1190

**Power rights. Water storage**

- a Ala. To encourage development of unused water power by exempting hydro-electric power corporations from taxation for 10 years. 1§ '07 p.520, 27 July
- b N. Y. Surplus waters resulting from building of barge canal not to be disposed of by lease or otherwise till completion of work and by special authority of statute. Adds '03 ch.147, §16. 1§ '07 ch.494, 13 June

1192

**Drains. Dikes. Levees**

*See also* 1071, Nuisances; 1183, Irrigation; 2661, Sewerage; 2730, Roads

- a Ark. Amdg. S. '04 §1414-16, 1424, 1434-38, 1442-43 rel. to power of County Court to construct, *widen, straighten, deepen and enlarge* ditch. 12§ '07 ch.111, 26 Mar.
- b Ark. Amdg. '03 ch.159 §8 rel. to notification of owners of lands affected by proposed drainage. 1§ '07 ch.432, 28 May
- c Cal. Amdg. P.C. §3471 rel. to procuring rights of way and materials for reclamation district. 1§ '07 ch.54, 1 Mar.
- d Cal. Annexation to sanitary district. Adds §22½ to '91 ch.161. 1§ '07 ch.64, 1 Mar.
- e Del. Msdr. to injure bank, dam, culvert or flood gate or obstruct ditch. 2§ '07 ch.155, 14 Feb.
- f Fla. Amdg. '05 ch.6 §1, 2 rel. to designating drainage districts. 2§ '07 ch.114, 28 May
- g Id. Amdg. sundry § of '03 p.257 rel. to drainage districts. 14§ '07 p.98, 2 Mar.
- h Ill. Declaring unconst. '85 p.77 §40½ in so far as it empowers comrs. of drainage district to construct bridges and culverts in public highway of town and collect cost from road and bridge fund. Violative of Const. art.9 §9, 10 rel. to taxation of municipalities.  
Morgan v. Schusselle 81 N. E. 814 (1907)
- i Ill. Amdg. '85 p.78 §15a rel. to vacancy in office of drainage comr. 2§ '07 p.273, 27 Feb.
- j Ill. Generally amdg. '79 p.129, rel. to drains, ditches and levees. 16§ '07 p.274, 20 May
- k Ill. Giving Circuit Courts concurrent jurisdiction with County Courts in farm drainage matters. 1§ '07 p.220, 24 May
- n Ill. Amdg. '79 p.120 §31 rel. to drainage: moneys collected for interest may, if no interest is due, be used for construction. 1§ '07 p.282, 25 May
- p Ind. Construction and maintenance of drains. 22§ '07 ch.252, 11 Mar.
- q Ia. Sec. of State to compile and publish 6000 copies each of drainage and road laws. 1§ '07 p.290, 22 Feb.
- r Ia. Amdg. '04 ch.68 §2, 3, 11, '06 ch.85 §4 rel. to drainage. Adds 2§ to '04 ch.68. 6§ '07 ch.94, 19 Mar.
- s Ia. Amdg. '04 ch.68 §3, 14, 18, 19 rel. to drainage. 4§ '07 ch.95, 28 Mar.

# CONTROL OF WATERS

1192

- t **Ia.** Submitting amdt. to Const. 1857 art.1 §18: Legis. may regulate construction of drains etc. across private lands, provide for organization of drainage districts and maintenance of drains. 1§. Vote Nov. 1908. '06 p.210, 10 Apr.; '07 p.282, 1 Apr.
- u **Kan.** "An act concerning drainage." 11§ '07 ch.197, 5 Mar.
- v **Kan.** "Resident taxpayer." as used in drainage laws to mean taxpayer of district residing within state of Kansas. 1§ '07 ch.198, 5 Mar.
- w **Mich.** Amdg. C.L.'97 §4319, 4379: ½ of owners of land to be traversed to sign petition for drain; ⅓ to petition for cleaning same. 2§ '07 ch.111, 22 May
- x **Mich.** Amdg. C.L.'97 §4354 rel. to computation of cost of drain. 1§ '07 ch.323, 28 June
- y **Minn.** Alteration of contract for construction of drainage ditch for good cause; petition of 75% of landowners affected; procedure. 4§ '07 ch.138, 10 Apr.
- ya **Minn.** Drainage act. 14§ '07 ch.191, 15 Apr.  
Unconst. Condemnation and assmt. of property of individual for private purposes; deprives of property without due process of law.  
In re Schubert 114 N. W. 244 (1907)
- yb **Minn.** Authorizing reassmt. for drains constructed under '05 ch.230 where cost increased by alteration of plans, or exempt property assessed. 8§ '07 ch.246, 19 Apr.
- yc **Minn.** County under 10,000 may issue \$150,000 of bonds to drain swamp land; cost to be assessed on property benefited. 4§ '07 ch.330, 23 Apr.
- yd **Minn.** Amdg. sundry sections of '05 ch.230 rel. to public drainage. Rep. '05 ch.311. 11§ '07 ch.367, 23 Apr.
- ye **Minn.** Judge of District Court, on petition, may direct drainage of lands and straightening of streams. 51§ '07 ch.448, 25 Apr.
- yf **Minn.** Creating State Drainage Comn. to consist of Gov., State Auditor and Sec. of State; chief engineer; to drain lands and straighten streams; procedure. Rep. '05 ch.106. 34§ '07 ch.470, 26 Apr.
- yg **Mo.** Amdg. R.S.'99 §8361: levee district to be drained. 1§ '07 p.335, 13 Mar.
- yh **Mo.** Amdg. R.S.'99 §8259b: powers of drainage district; duties of railroad. 2§ '07 p.345, 18 Mar.
- yi **Mo.** Service of summons on owner of land affected by proposed drainage district. Adds R.S.'99 §8252a. 1§ '07 p.340, 19 Mar.
- yj **Mo.** Amdg. R.S.'99 §8283, 8285, 8287, 8309, 8312 rel. to drainage districts and ditches. 5§ '07 p.341, 19 Mar.
- yk **Mo.** Drainage districts may contract with municipalities and with each other. Adds R.S.'99 §8317a-c. 3§ '07 p.344, 22 Mar.
- yn **Mon.** Amdg. '05 ch.106 §1, 8: estimate of cost of drain to include interest when tax payable in more than 1 year; drain order to draw interest from *making* [presentation]. 3§ '07 ch.102, 5 Mar.
- yp **Mon.** Amdg. '05 ch.106 §10 rel. to time of vesting of fee of land taken for drain. 1§ '07 ch.155, 7 Mar.

# N. Y. STATE LIBRARY INDEX OF LEGISLATION 1907

1192

- yq** **Neb.** Declaring unconst. C.S.'03 §6192 providing appeal to District Court in matters rel. to convenience and practicability of construction of drainage ditch. Confers administrative duties on court.  
Tyson v. Washington County 110 N. W. 634 (1907)
- yr** **Neb.** Creation and regulation of drainage districts. 31 §  
'07 ch.153, 27 Mar.
- ys** **Neb.** Amdg. C.S.'05 §6243, 6244, 6256, 6257a, 6257c rel. to drainage districts. 6§  
'07 ch.152, 30 Mar.
- yt** **N. J.** Municipality may raise money by certificate of indebtedness or bond issue where assessed for drainage. 4§ '07 ch.263, 10 Oct.
- yu** **N. D.** Amdg. R.C. §1845: compensation of county drain comrs. \$3 to \$4 [\$2 to \$3] per day. 1§  
'07 ch.94, 13 Mar.
- yv** **N. D.** Amdg. R.C.'05 §1819-23, 1827-28, 1831-32, 1835, 1840, 1849 rel. to duties of bd. of county drain comrs. 13§ '07 ch.93, 20 Mar.
- yw** **S. C.** Creating county drainage comns. to control sanitary, public utility and agric. drainage. 8§ '07 ch.247, 13 Feb.
- yx** **S. D.** Construction of drainage systems by counties. 34§  
'07 ch.134, 21 Feb.
- yy** **Tex.** Drainage law. 54§ '07 ch.40, 23 Mar.
- yz** **U.** Amdg. R.S.'98 §760-79 rel. to drainage districts. 20§  
'07 ch.108, 14 Mar.
- z** **Wash.** Amdg. '95 ch.115 §38: compensation of drainage comrs. \$3.50 [\$2] per day. 1§  
'07 ch.62, 4 Mar.
- za** **Wash.** Drainage districts. Amds. '95 ch.117 §7. 5§  
'07 ch.95, 11 Mar.
- zb** **Wash.** Dissolution of drainage district. 2§ '07 ch.165, 13 Mar.
- zc** **Wis.** Amdg. '05 ch.419 §12 to be S.'98 §1379 subdiv.22 rel. to drainage districts: bonds; comrs. to file statement of expenditures. Adds S.'98 §1379 subdiv.22-n 4§  
'07 ch.565, 11 July

1193

## Corporations

- a** **Del.** Amdg. '03 ch.394 §91,131: charter of drainage corp. may be renewed by filing certificate of majority of managers; acquisition of property by consolidated railroads. 2§  
'07 ch.175, 21 Mar.

1194

## Assessment

- a** **Ill.** Amdg. '05 p.197 §1 rel. to pumping plants for drainage: assmt. not exceeding 60c. per acre annually may be levied for maintenance. 1§  
'07 p.283, 20 May
- b** **Mo.** Railroad right of way to be assessed for levee purposes. Adds R.S.'99 §8365a. 1§  
'07 p.336, 15 Mar.
- c** **Mo.** Amdg. R.S.'99 §8437 rel. to levee benefit assmt. 1§  
'07 p.350, 21 Mar.
- d** **Wash.** Payment of assmts. on state lands for dikes and drains. 7§  
'07 ch.74, 5 Mar.
- e** **Wash.** Amdg. '05 ch.127 §1 rel. to assmt. of state land for drainage purposes. Rep. §2. 2§  
'07 ch.91, 9 Mar.
- f** **Wash.** Amdg. Ballinger's Ann. C.& S.'97 §3788: cost of maintenance of drainage system to be assessed on land according to *benefits* [valuation]. 1§  
'07 ch.120, 11 Mar.

## TRANSPORTATION

1194

- g Wash.** Amdg. Ballinger's Ann. C. & S. '97 §3730: additional drainage assmt. where 1st inadequate. 1§ '07 ch.242, 18 Mar.

1196

### *Cleaning. Repair. Obstruction*

- a Ark.** Lands assessed for construction of drain to be assessed to keep same clean. 6§ '07 ch.314, 13 May
- b Ind.** Repair of public drains. 2§ '07 ch.275, 12 Mar.
- c Mo.** Amdg. R.S.'99 §8307-8 rel. to cleaning of drainage ditches. 2§ '07 p.333, 22 Mar.
- d Wis.** Purchase by drainage district of machinery for repair of drains. Adds S.'98 §1379 subdiv.31cm. 2§ '07 ch.444, 27 June
- e Wis.** Amdg. '05 ch.419 §18: drainage comrs. may change course of stream; in case of navigable stream only where navigability will be improved. 1§ '07 ch.646, 15 July

1197

### *Levees. Dikes*

*See also 1113, Floods*

- a Cal.** Amdg. '05 ch.310 rel. to formation of levee districts and erection of dikes and levees. 15§ '07 ch.270, 16 Mar.
- b Ind.** Erection of levees: procedure; construction; assmts.; maintenance. 14§ '07 ch.223, 9 Mar.
- c Ia.** U. S. levees: assmt.; maintenance; bonds; claims for repairs. Amds. C. §1985-86, '06 ch.83 §5. 4§ '07 ch.93, 19 Mar.
- d Mo.** Amdg. R.S.'99 §8364: right of eminent domain for levee district; duties of railroads crossed. 1§ '07 p.337, 19 Mar.
- e Mo.** Investment of sinking fund of levee district. Adds R.S.'99 §8474a. 1§ '07 p.349, 22 Mar.
- f Wash.** Municipality may construct dikes. 10§ '07 ch.71, 5 Mar.

**Pollution of water, see 1079**

1200

## Transportation and communication

*See also 1800, Navigation*

- a N. C.** Amdg. Revisal '05 §1063, 2754 rel. to clerk of Corp. Comn.: oath same as of comrs.; extra allowance. 2§ '07 ch.999, 11 Mar.

1204

### **Rates. Discrimination**

- a Pa.** Prohibiting discriminations in charges or facilities by transportation companies; penalties. 2§ '07 ch.253, 31 May
- b Pa.** Equal rights of transportation of persons and property without discrimination of charges or facilities on railroads and canals; excursion and commutation rates allowed; penalties. 2§ '07 ch.255, 31 May
- c Pa.** Prohibiting narrow gage railroads of over 20 miles in length from charging higher rate than connecting railroad; remedy. 3§ '07 ch.313, 7 June

1204

- d Vt.** Railroads not to issue passes; to post schedule of passenger and freight rates; liable for damage by carrier to which goods are delivered by it, agreements to contrary void; Railroad Comrs. to fix reasonable and equal rates; applies to express, parlor and sleeping car companies; reciprocal demurrage, period 4 days, company excused by shortage of rolling stock; penalty \$1000. Rep. S. §3896-97. 13§  
'06 ch.122, 7 Dec.

1205

# **Discriminations**

- a Fla.** Prohibiting giving of rebates or special rates by common carriers; penalty. 2§ '07 ch.26, 27 May  
**b Vt.** Railroads not to discriminate between telephone companies as to terms for operating in depots and offices; penalty \$1000. 3§  
'06 ch.124, 7 Dec.

1212

# **Rates (general)**

- a Ala.** Freight rates of various railroads in force Jan. 1, 1907 to be maximum rates. 2§ '07 p.80, 9 Feb.  
**b Ala.** Where rate for transportation of article is fixed by statute, msdr. for employee of railroad to charge more or to refuse to transport such article. 2§ '07 p.207, 2 Mar.  
**c Ala.** Establishing maximum rates for transportation by railroads of certain articles; classification of railroads and articles; Railroad Comn. may change classification. 10§ '07 p.209, 2 Mar.  
**d Ala.** Procedure for setting aside as unreasonable maximum freight rate fixed by statute; judgment or injunction ineffective unless bond is given pending final decision to reimburse for overcharges if statute is sustained. 3§ '07 p.285, 4 Mar.  
**da Ala.** Railroad Comn. may change rates of classification fixed by statute. 3§ '07 p.711, 9 Aug.  
**e Ark.** Transportation of freight by railroad: prompt furnishing of cars and shipment; reciprocal demurrage; discrimination in rates prohibited; Railroad Comn. to formulate rules. 24§ '07 ch.193, 19 Apr.  
**f Ia.** Shipper may require freight to be carried by connecting railroad if shorter; Railroad Comrs. to establish schedule of joint rates. Rep. C. §2153, 2155. 2§ '07 ch.111, 28 Mar.  
**g Ia.** Railroad Comrs. to investigate discrimination in freight rates against citizens of state; to appeal to Interstate Commerce Comn. 3§ '07 ch.108, 10 Apr.  
**h Kan.** Ordering 15% reduction from present rates for transportation of wheat, corn, rye, oats, barley, millet, Kafir-corn and alfalfa seed. 4§ '07 ch.278, 12 Mar.  
**i Minn.** Classifying commodities and prescribing maximum freight rates of railroads; power of Railroad and Warehouse Comn. not affected. 7§ '07 ch.232, 18 Apr.  
**j Mo.** Amdg. R.S.'99 §1194 rel. to freight rates Adds §1194a-c. 4§ '07 p.171, 19 Mar.  
**k Mo.** Fixing freight charges on fruits; penalty. Adds R.S.'99 §1195a. 3§ '07 p.187, 19 Mar.  
**n Mo.** Railroad not to make extra charge for transportation of freight over bridges; penalty. 2§ '07 p.188, 22 Mar.

## TRANSPORTATION

1205

- p Neb.** Freight rates not to exceed 85% of rates in force Jan. 1, '07, until State Railroad Comn. provides greater rate; penalty \$10,000-\$50,000. Rep. C.S.'05 §4745-53. 4§ '07 ch.95, 8 Apr.
- q N. C.** Maximum freight rates; rebates prohibited; cars to be furnished in 4 days, to be loaded in 48 hours; penalties. Amds. Re-  
vival '05 §2632. 5§ '07 ch.217, 11 Mar.
- r S. C.** Joint committee, 3 senators and 3 representatives, to investigate discrimination of railroad rates against City of Charleston; report with suggestions to next session. 10§ '07 p.837, 19 Feb.
- s Tex.** Railroad Comn. may establish temporary freight and passenger rates in emergencies. 1§ '07 ch.119, 16 Apr.
- t Wash.** Overcharge where price or rate is required by law to be published to be refunded; claim to bear interest at 8%. 1§ '07 ch.187, 15 Mar.
- u Wash.** Accessories of flat car to be weighed with car; reimbursement of shipper for supplying accessories. 2§ '07 ch.218, 16 Mar.

1214

### *Coal*

- a N. D.** Amdg. R.C.'05 §4395: maximum rates of railroad for carrying coal. 1§ '07 ch.51, 13 Mar.

1218

### *Mails*

- a Col.** Protesting against reduction of appropriation for U. S. mail. '07 p.636, 20 Feb.

### **Passenger rates**

*See also 1365, Street railways*

1227

- a Ala.** Passenger rate on railroads of over 100 miles 2½c per mile; under 100 miles to be fixed by Railroad Comn.; penalty. 2§ '07 p.104, 14 Feb.
- b Ark.** Amdg. S.'04 §6611 rel. to railroad passenger rates: on road under 15 miles 5c [8c] per mile; under 85 miles 3c [5c]; others 2c [3c]. 2§ '07 ch.8, 9 Feb.
- c Cal.** Rep. and reenacting P.C. pt.2 t.1 rel. to political divisions of state. 7§ '07 ch.334, 19 Mar.
- d Ill.** Maximum railroad passenger rate 2c per mile; minimum fare 5c; cash fare 3c per mile. 4§ '07 p.476, 27 May
- e Ind.** 2c rate for passengers on railroads; 150 pounds baggage; penalty \$25 to \$100. 2§ '07 ch.42, 25 Feb.
- f Ia.** Amdg. C. §2076-77: *all* property of railroad to be considered in classifying; passenger rates, class A 2c [3c], B 2 1/2c [3c], C 3c [4c]; *minimum fare 10c*; baggage 150 [100] pounds. 2§ '07 ch.102, 28 Feb.
- g Kan.** Amdg. '01 ch.286 §20 rel. to passenger fares: 500 mile tickets to be sold at 2c per mile; 2000 mile tickets good on all railroads for \$50; children under 6 free. 2§ '07 ch.272, 13 Mar.
- h Mass.** Railroad Comrs. to investigate and report at next session rel. to equalizing passenger rates on railroads. '07 r.82, 14 May
- i Mich.** Amdg. C.L.'97 §6234 rel. to graduated passenger fares for railroads. 1§ '07 ch.54, 18 Apr.

1227

- j **Minn.** Felony for railroad or officer to charge over 2c per mile for adult or 1c for child under 12; penalty \$5000 or 5 years. 2§  
'07 ch.97, 4 Apr.
- k **Mo.** Railroad not to charge extra fare for crossing bridge; penalty. 2§  
'07 p.180, 18 Feb.
- n **Mo.** Amdg. R.S.'99 §1191-92: 4 [3] classes of railroads; maximum rate on 1st 3 classes 2c per mile, on 4th class 4c; penalty. Adds §1192a. 3§  
'07 p.170, 27 Feb.
- p **Neb.** Amdg. C.S.'05 §4730-31: passenger rate not to exceed 2 [3] c per mile for persons over 12 [10] years; half rate for children under 12 [10]. 2§  
'07 ch.92, 6 Mar.
- q **N. Y.** Electric surface railroad in city of 1,000,000 not to collect more than 1 fare for continuous ride in city limits. 1§  
'07 ch.229, 29 Apr.
- r **N. C.** 2¼c fare on railroads over 60 miles long; exceptions; interchangeable mileage; msdr. to accept free transportation; penalties. Rep. Revisal '05 §2618. 6§  
'07 ch.216, 2 Mar.
- s **N. D.** 2½c passenger rate for railroads; half fare for children; family mileage books; penalty. 4§  
'07 ch.199, 13 Mar.
- t **Pa.** 2c passenger rate on railroads; penalty \$1000. 3§  
'07 ch.52, 5 Apr.
- u **S. D.** Amdg. P.C. §450: maximum passenger rate on railroads 2 1/2c [3c]. 1§  
'07 ch.213, 4 Mar.
- v **Term.** Committee of 5 members of House of Representatives to investigate reduction of railroad passenger rates to 2c; report after recess. Joint committee of 5 substituted.  
'07 p.2161, 29 Jan.  
'07 p.2197, 15 Feb.
- w **Tex.** Railroad Comn. may establish temporary freight and passenger rates in emergencies. 1§  
'07 ch.119, 16 Apr.
- x **W. Va.** 2c passenger rate on railroad over 50 miles long; exceptions. 3§  
'07 ch.41, 24 Feb.
- y **Wis.** Amdg. S.'98 §1798a: railroad earning \$3500 per mile to charge not more than 2c per mile for passengers. 2§  
'07 ch.654, 16 July

1231

*Excess fare on train*

- a **Vt.** Not more than 10c excess fare to be charged on trains; rebate certificates redeemable in 30 days to be issued; penalty \$10 to \$50. 2§  
'06 ch.121, 6 Nov.

1232

*Mileage books*

- a **Ala.** Railroad Comn. to require issuances of and prescribe regulations for interchangeable mileage books on railroads. 4§  
'07 p.205, 2 Mar.
- b **Neb.** Railroad companies to sell mileage books good in any hands at not more than \$20 per 1000 miles. 5§  
'07 ch.94, 3 Apr.
- c **Va.** Declaring unconst. '06 ch.256 requiring railroads to sell mileage books for 500 miles at 2c. Takes property without due process of law.

Commonwealth v. Atlantic Coast Line R. Co. 55 S. E. 572 (1906)



## TRANSPORTATION

1235

### *Ticket scalping*

- a **N. Y.** Msdr. for person to hold himself out as agent of steamship company without written authority. Adds Pen.C. §616a-c. 3§  
'07 ch.546, 21 June

1237

### **Passes. Franks**

*See also* 1365, Street railways

- a **Ala.** Prohibiting common carriers issuing passes or reduced passenger rates; exceptions; witnesses to testify under immunity. 4§  
'07 p.105, 14 Feb.
- b **Ia.** Prohibiting giving and receiving passes and discriminatory passenger rates; exceptions; names of beneficiaries to be filed with Executive Council annually. Rep.'06 ch.90. 6§ '07 ch.112, 10 Apr.
- c **Kan.** Msdr. for railroad to issue free transportation; exceptions. 8§  
'07 ch.273, 7 Mar.
- d **Me.** Prohibiting use of passes by state officials; exceptions; penalty. 3§  
'07 ch.153, 26 Mar.
- e **Minn.** Prohibiting free passes and franks; exceptions; penalty. 3§  
'07 ch.449, 25 Apr.
- f **Mo.** Railroad to issue free transportation within state to shipper of live stock in carload lots, for himself or agent. '07 p.176, 4 Apr.
- g **Neb.** Passes prohibited; exceptions. 2§ '07 ch.93, 30 Mar.
- h **N. H.** Prohibiting giving to or receiving by salaried state officers, members of Legis., judicial officers state and local, certain county officers, and delegates to political conventions, railroad passes; Gov. to contract for transportation of state officials; exceptions; penalty \$100 to \$1000. 5§  
'07 ch.79, 22 Mar.
- i **N. J.** Amdg. '03 ch.257 §40 rel. to public officers entitled to free transportation on railroads. 1§  
'07 ch.98, 23 Apr.
- j **Or.** Corporations seeking right of way must as condition precedent to commencing condemnation proceedings grant free transportation to state officers and county judges and sheriffs; certificate of election or copy in lieu of ticket. 5§  
'07 ch.66, 20 Feb.
- k **S. D.** Prohibiting issue of passes and franks by common carriers; exceptions; penalties. 8§  
'07 ch.221, 9 Feb.
- n **Tex.** Prohibiting free pass or service on railroad or telegraph or telephone line. 11§  
'07 ch.42, 26 Mar.

1238

### **Race distinction**

*See also* 122, Civil rights

- a **Fla.** Requiring separation of white and negro passengers on urban and suburban electric railways. 10§  
'07 ch.22, 7 May
- b **Fla.** Railroad company to provide separate waiting rooms and ticket windows for white and colored passengers. 3§  
'07 ch.24, 15 May
- c **Tex.** Amdg. Pen. C. '95 art.1010 rel. to separate accommodations for white and negro passengers on railroads: extended to street and interurban railways. 10§  
'07 ch.36, 22 Mar.

**1240                      Miscellaneous. Common carriers**

- a    **Ark.** Railroad to maintain track scales at station where 100 cars of coal, corn or cotton seed received annually. 3§ '07 ch.429, 28 May
- b    **Ia.** Railroads to furnish track scales for weighing carloads of coal at request of shipper or consignee; to furnish certificate to shipper; penalty. 7§ '07 ch.113, 6 Apr.
- c    **Minn.** Railroad and Warehouse Comn. to enforce reasonable regulations for weighing freight in cars. 1§ '07 ch.357, 23 Apr.
- d    **Neb.** Railroad company to provide scales and to weigh commodities in carload lots. 6§ '07 ch.88, 8 Apr.
- e    **Tenn.** Railroad to pay claim under \$50 for overcharge or damage to freight on own line within 60 days; where handled by connecting line within 90 days; penalty 25% additional to recovery; not to apply where company tenders amount to cover loss. 3§ '07 ch.235, 6 Apr.

**1242                      Appropriation by common carrier**

- a    **Kan.** Amdg. '05 ch.343: railroad to pay consignee *twice invoice price* of any coal confiscated in transit for railroad use [value at destination plus 15%]. 4§ '07 ch.282, 21 Feb.
- b    **Mon.** Railroad confiscating coal to pay double value and transportation charges within 30 days; penalty. 4§ '07 ch.119, 6 Mar.
- c    **N. C.** Amdg. Revisal '05 §2617: railroad seizing fuel in transit for own use to pay value and 25% [10%] therefor. 1§ '07 ch.467, 11 Mar.

**1244                      Baggage**

- a    **Ind.** Requiring railroads to carry 150 pounds of baggage; drummers samples to be considered baggage; rates for excess; limit of liability for such commercial samples; penalties. 6§ '07 ch.123, 8 Mar.
- b    **Mass.** Railroads not to charge storage for baggage left from Friday to Monday. 1§ '07 ch.287, 11 Apr.

**1247                      Loss or damage**

- a    **Ala.** Measure of damages for goods lost or injured by common carriers; verified statement of loss; if claim not paid in 60 days after filing statement, 4 times amount may be recovered on \$25 claim, twice on \$25 to \$100, 1½ times on over \$100. 6§ '07 p.96, 9 Feb.
- aa   **Ala.** Initial shipper liable for damage to goods in entire shipment; liability not to be contracted away. 3§ '07 p.704, 9 Aug.
- b    **Ark.** Amdg. '05 ch.144 §2, 3 rel. to recovery for damage to goods carried by common carrier: consignee may present itemized statement to agent of company within 10 [3] days; if damage [not to exceed \$10] be not paid *in 30 days*, treble damages may be recovered *if judgment equal claim*. 2§ '07 ch.166, 11 Apr.
- c    **Ark.** Contract with common carrier limiting common law liability void. 4§ '07 ch.239, 30 Apr.

## TRANSPORTATION

1247

- d **Ark.** Making initial common carrier liable to shipper for damage by connecting line; former may recover of latter. 2§  
'07 ch.270, 6 May
- e **Ia.** Amdg. '06 ch.89 §1 rel. to action against joint carriers for loss of goods: may be brought in any county through which shipped [provided owner be resident of such county]. 1§ '07 ch.101, 13 Apr.
- f **Kan.** Recovery by Atty. Gen. for coal shipped by State Penitentiary to a state institution and lost in transit. 1§ '07 ch.284, 9 Mar.
- g **Minn.** Jury to determine amount of damages to be paid by each of connecting common carriers of goods damaged in transit. 2§  
'07 ch.466, 26 Apr.
- h **N. C.** Express companies to pay claims for loss to property in same manner as railroads. 1§ '07 ch.983, 11 Mar.
- i **N. D.** Amdg. R.C.'05 §5678: common carrier can not by agreement in advance exonerate itself from liability for [gross] negligence. 1§  
'07 ch.57, 13 Mar.
- j **Va.** Declaring unconst. '03 ch.258 which makes common carrier liable for injury to property when received from connecting carrier. Interferes with interstate commerce.  
Winslow Bros. & Co. v. Atlantic Coast Line R. Co. 60 S. E. 709 (1908)

1249

### Prompt shipment. Demurrage

- a **Ala.** Reciprocal demurrage. 25§ '07 p.224, 28 Feb.
- aa **Ala.** Amdg. '07 p.224 §14, 16: storage charges on unloaded freight; notification of arrival of consignment. 2§ '07 p.699, 9 Aug.
- ab **Ala.** Railroad Comn. may change any rule prescribed by statute rel. to demurrage or car service. 2§ '07 p.779, 9 Aug.
- b **Ark.** Transportation of freight by railroad: prompt furnishing of cars and shipment; reciprocal demurrage; discrimination in rates prohibited; Railroad Comn. to formulate rules. 24§ '07 ch.193, 19 Apr.
- c **Ga.** Shipment of perishable goods; reciprocal liability of railroad and shipper. 4§ '07 p.84, 22 Aug.
- d **Id.** Memorializing Cong. to compel interstate railroads to furnish freight cars promptly and transport cattle and perishable goods at speed of 15 miles per hour. '07 p.579, 5 Mar.
- e **Ia.** Amdg. C. §2116 which requires prompt shipment by railroads: burden of proof to show compliance on railroad. 1§  
'07 ch.107, 4 Apr.
- f **Kan.** Msdr. for railroads to make agreement or employ common agent for fixing or collecting demurrage charges. 4§  
'07 ch.279, 9 Mar.
- g **Kan.** Amdg. '05 ch.345 §2, 4-6, 9-10 rel. to supply of cars and transportation of freight. 9§ '07 ch.275, 11 Mar.
- h **Minn.** Reciprocal demurrage; prompt shipment by railroads; forfeitures. 13§ '07 ch.23, 17 Apr.
- i **Mo.** Amdg. '05 p.109 §5, 8 rel. to demurrage: extraordinary cause for delay question of fact for jury; Bd. of Railroad and Warehouse Comrs. to enforce. Adds §10. 3§ '07 p.177, 18 Mar.
- j **Mo.** Amdg. '05 p.109 §1 rel. to demurrage. Rep. §7. 1§  
'07 (ex. sess.) p.176, 13 May

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- k** **N. J.** Amdg. '03 ch.257 §47 rel. to demurrage: charge not to exceed \$1 per day and not to start for 3 days; bond to raise lien. 1§  
'07 ch.256, 26 June
- n** **N. C.** Revisal '05 §2632 rel. to penalty for delay in transporting freight, to be construed as applying not only to starting freight but to require delivery in time specified; excused by unavoidable delay. 4§  
'07 ch.461, 8 Mar.
- p** **N. D.** Railroad to operate 1 passenger and 1 freight train daily; mixed trains; reciprocal demurrage. 7§  
'07 ch.200, 14 Mar.
- q** **Or.** Requesting Cong. to enact reciprocal demurrage law applicable to interstate commerce. '07 p.522, 21 Feb.
- r** **Pa.** Demurrage not to exceed \$1 per day; free time 48 hours; method of computing. 2§  
'07 ch.179, 24 May
- s** **Pa.** Employee of railroad having charge of distribution of cars to shippers not to have interest in mining or manufacturing company along line of railroad; penalty \$250 to \$1000 or 3 months to 1 year. 3§  
'07 ch.259, 1 June
- t** **S. C.** Extending '04 ch.379 rel. to preventing delays in transportation of freight, to *all common carriers* [applied to railroads only]. 3§  
'07 ch.236, 15 Feb.
- u** **S. D.** Reciprocal demurrage. 15§  
'07 ch.216, 15 Feb.
- v** **Tex.** Declaring unconst. R.S.'95 §4497, 4499 which impose penalty on carrier for delay in furnishing cars. Interferes with interstate commerce. *Texas & P. Ry. Co. v. Loving* 98 S. W. 451 (1906)
- w** **Tex.** Railroad to have sufficient rolling stock; penalty. 3§  
'07 ch.155, 23 Apr.
- x** **Tex.** Prompt furnishing of cars and shipment by railroads; interchange with connecting line; demurrage; Railroad Comm. to prescribe regulations; liabilities and penalties. 6§  
'07 ch.184, 1 May
- y** **Wash.** Reciprocal demurrage; prompt shipment by railroads; discrimination prohibited; venue of action and measure of damage; Railroad Comm. to enforce; penalties. 26§  
'07 ch.142, 12 Mar.

1250

## Storage. Delivery

- a** **Ark.** Shipper or consignee on giving bond to common carrier may obtain goods pending arrival of bill of lading. 2§  
'07 ch.363, 23 May
- b** **Ia.** Common carrier to reconsign freight at request of consignee. 1§  
'07 ch.114, 2 Apr.

1251

## Unclaimed property

- a** **N. Y.** Amdg. '91 ch.488 rel. to sale of property left in street cars, *cabs and stages*. 3§  
'07 ch.463, 10 June
- b** **Vt.** Amdg. S. §4859, 4862 rel. to sale of unclaimed property; owner to be notified within 90 days [6 months]; if owner ascertained on opening parcel to be given 30 days notice of sale; sheriff to make return to corp. and State Treasurer within 6 [20] days. 3§  
'06 ch.184, 17 Dec.

## RAILWAYS

1253

### Special commodities

1260

#### Live stock

*See also* 896, Cruelty to animals

- a **Ill.** Amdg. R.S.'03 ch.38 §51 rel. to transportation of animals: not to be confined in car longer than 36 consecutive hours [28, including time on another road]. 1§ '07 p.264, 17 May
- b **Ia.** Cars containing live stock to be moved at highest practicable speed; Railroad Comrs. to prescribe. 3§ '07 ch.115, 10 Apr.
- c **Kan.** Common carriers to transport live stock "in a period of time not less than 1 hour for each 15 miles"; damages. 2§ '07 ch.276, 7 Mar.
- d **Kan.** Railroads to furnish double decked cars for shipment of sheep. 3§ '07 ch.277, 7 Mar.
- e **Mich.** Amdg. C.L.'07 §6239: railroad receiving freight or live stock liable as common carrier. 1§ '07 ch.61, 25 Apr.
- f **Wash.** Amdg. '05 ch.81 §23: contract not to release common carrier from liability in transporting live stock. 1§ '07 ch.249, 19 Mar.

## Roads. Streets

*See* 2700

1267

### Railways. Car companies. Express

Chiefly steam but many of the general laws and special provisions include all kinds of railways. *See also* 500, Corporations; 841, 845, Taxation; 1402, Bridges; 2040, Labor

- a **Ala.** Common carriers to post passenger and freight rates; latter to be changed only by permission of Railroad Comn.; discrimination prohibited; contracts with other companies and lists of passes to be filed with comn.; spurs and connections; prompt furnishing of cars and shipment; adequate depots; union stations; repayment of overcharges; exceptions. 34§ '07 p.117, 23 Feb.  
Amended. 3§ '07 p.713, 9 Aug.
- b **Ala.** Creating Railroad Comn.: 3 members elected for 4 years; salary of president \$3500, of associates \$3000; annual report to Gov.; jurisdiction over common carriers except street railroads; to require adequate facilities and just rates; investigations; witnesses to testify under immunity; no injunction to restrain rate orders to issue except on filing bond to pay excess of charges where not sustained; foreign corp. bringing action in federal court rel. to reasonableness of rates, to lose license. 53§ '07 p.135, 23 Feb.  
Amended rel. to definition of "transportation company" subject to the comn.: to include steamboat companies, terminal companies, and telegraph and telephone companies. 2§ '07 p.716, 9 Aug.
- c **Ari.** Railroads organized under Ari. law may operate in other states. Amds. R.S.'01 §878. 1§ '07 ch.3, 21 Feb.

1267

- d Ark.** Amdg. S.'04 §6545-46 rel. to Bd. of Railroad Incorp.: may act in absence of Gov. and Sec. of State; majority competent to act. 2§ '07 ch.89, 12 Mar.
- e Ark.** Increasing power of Bd. of Railroad Comrs.: to hear and act on petitions for train service, depots, spurs etc.; msdr. for railroad to refuse to obey orders. 5§ '07 ch.149, 5 Apr.
- f Ark.** Amdg. '07 ch.149 which increased powers of *Railroad Comm.* [Bd. of Railroad Comrs.]. 5§ '07 ch.338, 17 May
- g Ark.** Extending powers and duties of Railroad Comm.: through freight, express, sleeping car rates and service; enforcement. 8§ '07 ch.422, 28 May
- h Cal.** Amdg. P.C:pt.2 t.1 rel. to political divisions: redefines railroad districts. 7§ '07 ch.334, 19 Mar.
- i Col.** Creating State Railroad Comm. of 3, elected for 6 years, salary \$3000; to regulate common carriers; unreasonable rate; discriminations and rebates prohibited; reciprocal demurrage; equipment. 29§ '07 ch.208, 22 Mar.
- j Fla.** Railroad Comrs. may employ special counsel. 2§ '07 ch.25, 10 May
- k Fla.** Amdg. G.S.'06 §2921 rel. to collection of claims in favor of large number of persons resultant from disobedience of order of Railroad Comrs. by common carrier. 1§ '07 ch.21, 3 June
- n Fla.** Common carrier refusing to pay claim for damage to or overcharge on freight liable for interest at 50% per annum and atty.'s fees. 4§ '07 ch.23, 3 June
- p Fla.** Amdg. G.S.'06 §2910 rel. to power of Railroad Comm. to sue for individuals in certain cases. 1§ '07 ch.29, 3 June
- q Fla.** Amdg. G.S.'06 §2887: salary of clerk of Railroad Comm. \$1500 [\$1200]; expenditures of comm. not to exceed \$25,000 [\$15,000] per year. 1§ '07 ch.30, 3 June
- r Fla.** Requesting Cong. to give Interstate Commerce Comm. power to correct unjust freight and express rates. 2§ '07 p.773, 3 June
- s Ga.** Increasing Railroad Comrs. from 3 to 5; office elective; term 6 years; extending jurisdiction to wharves, terminal, cotton compress, telephone, telegraph, street railway, gas and electrical companies; powers, enforcement of orders. 17§ '07 p.72, 23 Aug.
- t Ind.** Amdg. '05 ch.53 §1-8, 10-15, 18-21, 23, and title; rep. §6½ rel. to creation and duties of Railroad Comm. 21§ '07 ch.241, 9 Mar.
- u Ind.** Common carriers over railroads: supply of rolling stock; delay in moving freight; reciprocal demurrage; record of car service; confiscation of coal; freight rates for coal; Railroad Comm. may investigate; powers; penalties. 17§ '07 ch.231, 11 Mar.
- v Ia.** Railroad Comm. to procure 20,000 official railroad maps; distribution; \$3400. 2§ '07 ch.229, 8 Feb.
- w Kan.** Bd. of Railroad Comrs. may intervene in any case before Interstate Commerce Comm. affecting Kan. shippers. 2§ '07 ch.269, 28 Jan.

## RAILWAYS

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- x Kan.** Amdg. G.S.'01 §5967, 5997: powers of Railroad Comrs. extended over electric railroads operated in more than 1 county. 2§  
'07 ch.267, 25 Feb.
- y Kan.** Amdg. '05 ch.340 §7: prosecution of cases before Interstate Commerce Comm. by Bd. of Railroad Comrs. 2§  
'07 ch.270, 28 Feb.
- ya Kan.** Generally amdg. '01 ch.286 and '05 ch.340 rel. to powers and duties of railroad comrs.; valuation of railroads by state. 12§  
'07 ch.268, 14 Mar.
- yb Mass.** Experts and inspectors of Railroad Comm. exempt from civil service classification unless hereafter classified by Civil Service Comrs. 1§  
'07 ch.245, 25 Mar.
- yc Mich.** Amdg. C.L. §5234: railroad to report earnings *quarterly* [monthly]. 1§  
'07 ch.232, 27 June
- yd Mich.** Creating Railroad Comm.; 3 members, 1 of opposite political party, appointed by Gov. and Senate; term 6 years; salary \$3000; no jurisdiction of city railways; rates; discriminations; demurrage; procedure; enforcement of orders. 50§  
'07 ch.312, 28 June
- ye Minn.** Amdg. R.L.'05 §1971-72 rel. to appeals from Railroad and Warehouse Comm. Rep. §1982. 3§  
'07 ch.167, 12 Apr.
- yf Minn.** Rep. R.L.'05 §2912-13 rel. to reports of railroads to Railroad and Warehouse Comm. and State Auditor. 2§  
'07 ch.231, 18 Apr.
- yg Minn.** Amdg. R.L.'05 §1966 rel. to hearing before Railroad and Warehouse Comm.: except on question of reasonableness of rate may be before 1 comr.; his finding must be approved by comm. 1§  
'07 ch.305, 22 Apr.
- yh Minn.** Amdg. R.L.'05 §1984 rel. to reports to Railroad and Warehouse Comm. 1§  
'07 ch.410, 25 Apr.
- yi Mo.** Orders of Railroad and Warehouse Comrs. not suspended during appeal; penalties for noncompliance. 5§  
'07 p.386, 17 Mar.
- yj Mon.** Establishing Bd. of Railroad Comrs.: 3 members named, successors to be elected at polls; term 6 years; salary \$4000; to fix rates; schedules; gen. regulation; enforcement of orders; Gov. may suspend comr. and make temporary appointment. 37§  
'07 ch.37, 26 Feb.
- yk Neb.** Creating State Railway Comm. in pursuance of const. amdt. adopted Nov. 6, 1906 ('05 ch.233); qualification, organization, powers. 16§  
'07 ch.90, 27 Mar.
- yn Nev.** Creating Railroad Comm.: 3 members appointed by Gov., Lieut. Gov. and Atty. Gen.; term 3 years; 1 to devote entire time, salary \$5000; others \$2500; supervision of railroad, telegraph and telephone companies; rates; service. 38§  
'07 ch.44, 5 Mar.
- yp Nev.** Amdg. C.L.'00 §1015 rel. to annual report of railroad. 3§  
'07 ch.95, 20 Mar.
- yq N. J.** Creating Bd. of Railroad Comrs.; 3 members appointed by Gov. and Senate for 6 years; salary \$5000; investigations; to enforce laws rel. to railroads; may require use of safety appliances; adequate facilities; procedure. 11§  
'07 ch.197, 15 May

1267

- yr** **N. Y.** Establishing 2 Public Service Comns., 1 for city of New York, 1 for balance of state, of 5 members each; appointed by Gov. and Senate; term 5 years; salary \$15,000; gen. control of railroads, street railways, express, car, sleeping car, freight, gas and electrical companies; practice before comn.; immunity of witnesses; service and charges of such corporations; discriminations; publication of schedules; passes prohibited; investigation of accidents; uniform system of accounts; transfer of franchises; stock, bonds etc.; inspection of meters; summary proceedings; reports of corp.; annual report of comn. to Legis.; penalties. Rep. sundry laws and abolishes Railroad, Gas and Electricity and Rapid Transit Comns. 78§ '07 ch.429, 6 June
- ys** **N. C.** Enlarging powers of Corp. Comn.: safety and comfort of patrons of public service corporations; block system; crossings; operation of trains; connections; to have same control of telegraph and telephone companies as of railroads; rates; discriminations. Amds. Revisal '05 §1066, 1096-97, 1110; rep. §2567 subdiv.9. 7§ '07 ch.469, 11 Mar.
- yt** **N. D.** Railroad Comrs. to hold 5 sessions annually; places of meeting; special sessions; report to Gov. after each. 6§ '07 ch.213, 19 Mar.
- yu** **N. D.** Referring to next Legis. amdt. to Const. 1889 §140: railroads *and common carriers* to keep offices in state and make reports. 1§ '07 p.450, 23 Mar.
- yv** **Or.** Railroad Comn. created; rates to be printed and filed; reduced fare; adequate facilities; crossings; reciprocal demurrage; investigation by and powers of comn.; no injunction staying order of comn. without hearing; immunity to witness; annual reports by companies; uniform system of accounting; rebates forbidden. 63§ '07 ch.53, 18 Feb.
- yw** **Pa.** Railroads to report mileage every 3 years; penalty. 2§ '07 ch.113, 1 May
- yx** **Pa.** Creating Railroad Comn. of 3; appointed by Gov. and Senate; term 5 years; salary \$8000; to investigate common carriers, make recommendations, and report violations of law to Atty. Gen. and Sec. of Internal Affairs. 25§ '07 ch.250, 31 May
- yy** **Pa.** Prohibiting common carriers from engaging in other business; penalties. 2§ '07 ch.252, 31 May
- yz** **Pa.** Providing for printing 16,500 copies of Pa. railroad map issued by Dept. of Internal Affairs; distribution. '07 p.829, 13 June
- z** **S. D.** Validity of order of Railroad Comrs. presumed. 2§ '07 ch.207, 4 Feb.
- za** **S. D.** Railroad Comrs. to ascertain cash value of railroads in state. 3§ '07 ch.211, 2 Mar.
- zb** **S. D.** Atty. Gen. to be only legal adviser of Bd. of Railroad Comrs.; Gov. may appoint inspector to aid bd. in inspecting public warehouses and scales; salary \$100 per month during employment. 4§ '07 ch.210, 5 Mar.
- zc** **S. D.** Amdg. P.C. §195: salary of Sec. of Bd. of Railroad Comrs. \$1500 [§1200]. 1§ '07 ch.208, 9 Mar.



## RAILWAYS

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- zd**    **Tenn.** Amdg. '97 ch.10 t., §3, 8, 28 rel. to Railroad Comrs.: expenses; may require location of freight and passenger depots; may make rules of procedure; penalty for disobedience of orders. 4§  
'07 ch.390, 12 Apr.
- ze**    **Tenn.** Rep. '03 ch.10 which allowed railroad to build switch yards and workshops in county of under 45,000 and to condemn land therefor. 1§  
'07 ch.578, 15 Apr.
- zf**    **U.** Codifying and revising laws rel. to formation and powers of railroad corporations. Rep. R.S.'98 §436, 443-44; '01 ch.26. 6§  
'07 ch.93, 14 Mar.
- zg**    **Vt.** Generally amdg. laws rel. to railroads. 42§  
'06 ch.118, 13 Dec.
- zh**    **Vt.** "An act to create a Bd. of Railroad Comrs. . . ." Rep. S. ch.173. 29§  
'06 ch.126, 14 Dec.
- zi**    **Wash.** Amdg. '05 ch.81 §2-4, 6, 12, 13, 15, 20, 22 rel. to powers and duties of Railroad Comm. Adds §28-30. 21§  
'07 ch.226, 16 Mar.
- zj**    **Wis.** District atty., city atty. or judge not to be retained by common carrier or other public utility corp.; exceptions; penalty forfeiture of office. Adds S.'98 §4552m. 1§  
'07 ch.542, 10 July
- zk**    **Wis.** Amdg. '05 ch.362 §1, 2, 10, 14, 16, 18 rel. to Railroad Comm.: employees; jurisdiction extended to telegraph companies; provisions rel. to railroads; corp. to furnish list of stockholders; publication of opinions; annual report to Gov. Adds S.'98 §1797 subdiv.37m-n. 8§  
'07 ch.582, 12 July
- zn**    **Wis.** Amdg. S.'98 §1819 rel. to forfeitures by railroads. 1§  
'07 ch.622, 13 July

1268

## Corporate organization and power

*See* 1267

1271

### Conditional sale of equipment

- a**    **N. C.** Amdg. Revisal '05 §984: conditional sale of railroad equipment to be registered in *one* [each] county where vendee does business. 1§  
'07 ch.150, 12 Feb.

1272

### Consolidation, sale, lease

- a**    **Ct.** Certificate of merger of railroads to be filed with Sec. of State. 1§  
'07 ch.223, 27 July
- b**    **Del.** Amdg. '03 ch.394 §91, 131: charter of drainage corp. may be renewed by filing certificate of majority of managers; acquisition of property by consolidated railroads. 2§  
'07 ch.175, 21 Mar.
- c**    **Mass.** Railroads not to consolidate except on determination of Railroad Comrs. and Gen. Court; sidings must be constructed on order of comrs. Amds. '06 ch.463, pt.1 §67, pt.2 §209. 11§  
'07 ch.585, 28 June
- d**    **Minn.** Amdg. R.L.'05 §2895: penalty for illegal purchase or lease of 1 railroad by another \$1000 to \$20,000. 1§  
'07 ch.395, 24 Apr.
- e**    **Mo.** Assignee of railroad to take subject to liabilities of assignor. 1§  
'07 p.184, 19 Mar.

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- f Pa.** Prohibiting consolidation of competing lines of railroads or canals; as to whether competing question for jury; penalties. 3§

'07 ch.254, 31 May

- g U.** Railroad corp. organized in state and owning lines situated entirely in foreign country, may convey to corp. organized in such country. 1§

'07 ch.34, 11 Mar.

1275

## Foreign corporations

- a Mo.** Foreign railroad to forfeit charter for removing cause to federal court; penalty for doing business after forfeiture. 3§

'07 p.174, 13 Mar.

1278

## Officers

- a N. C.** Amdg. Revisal '05 §2548: 1 incorporator and 1 director of railroad chartered in state to be citizen and resident. 2§

'07 ch.472, 11 Mar.

1279

## Stocks, bonds, mortgages

- a N. D.** Amdg. R.C.'05 §4224 rel. to increasing capital stock of railroad. 1§

'07 ch.53, 19 Mar.

1280

## Public ownership and aid

1281

### State railways and ownership of stock

- a Or.** Bd. of Portage Railway Comrs. to consist of 3 *members appointed by Gov.* [Gov., Sec. of State and State Treasurer]; no compensation; method of audit. Amds. '03 p.108 §1. 4§

'07 ch.104, 23 Feb.

- b Tex.** Extension of state owned railway at Rusk Penitentiary to connect with 2 other railroads; bond issue of \$150,000; operating regulations. 10§

'07 ch.74, 5 Apr.

1282

### Public aid. Exemptions. Subscription to stock

- a Kan.** Amdg. G.S.'01 §5907, 5911 rel. to issuance of bonds by cities in aid of railroads: act to apply to railroads operated by electricity or other motive power. 3§

'07 ch.286, 11 Mar.

- b Minn.** City of 4th class may issue \$30,000 in aid of railroad passing through; referendum. 1§

'07 ch.244, 19 Apr.

- c Neb.** Any precinct, township, city of 2d class or village may issue bonds in aid of construction of steam railroads of standard gage. Amdg. by implication C.S.'05 §4138. 1§

'07 ch.77, 5 Apr.

1286

## Supervision and regulation

*See 1267*

1288

## Construction

- a Ark.** Amdg. S.'04 §6646 rel. to drainage of roadbed of railroad. 1§

'07 ch.250, 3 May

- b Minn.** Amdg. R.L.'05 §2032: Railroad and Warehouse Comm. to inspect branch or extension of railroad before operation; may allow portion constructed to be operated. 1§

'07 ch.260, 20 Apr.

## RAILWAYS

1288

- c **Mo.** Amdg. R.S.'99 §1110 rel. to drainage of right of way by railroad. 1§ '07 p.169, 14 Mar.
- d **N. D.** Amdg. R.C.'05 §4392 which requires building of Ys at intersection of railroads. 3§ '07 ch.211, 19 Mar.
- e **Wis.** Construction of railroad to be done under authority and supervision of Railroad Comn. Adds S.'98 §1797 subdiv.37-60. 22§ '07 ch.454, 29 June

1289

### *Branch roads. Side tracks*

- a **Me.** Amdg. R.S.'03 ch.51 §30 which authorizes railroads to build branch tracks to certain places: log landings or yards included. 1§ '07 ch.92, 20 Mar.
- b **Mass.** Railroads not to consolidate except on determination of Railroad Comrs. and Gen. Court; sidings must be constructed on order of comrs. Amds. '06 ch.463 pt.1 §67, pt.2 §209. 11§ '07 ch.585, 28 June
- c **Neb.** Amdg. C.S.'05 §4702 rel. to action in District Court by applicant for side track to compel its construction; penalty \$1000-\$5000 and damages. 3§ '07 ch.89, 8 Apr.
- d **N. M.** Amdg. '01 ch.9 §1: railroads may exercise same powers in building branches and side tracks as for main line. 2§ '07 ch.27, 16 Mar.
- e **N. M.** Amdg. '01 ch.9 §2 rel. to construction of branch railroads: filing of plat to give prior right provided work be begun in 2 years and completed in 6. 2§ '07 ch.94, 21 Mar.
- f **N. C.** Railroads may condemn land to increase tracks or yards on approval of Corp. Comn.; jurisdiction in state courts only. 5§ '07 ch.458, 5 Mar.
- g **S. C.** Declaring unconst. '05 ch.480 requiring railroad to construct industrial side track. Takes private property for private use. *Mays v. Seaboard Air Line Ry.* 56 S. E. 30 (1906)
- h **Wash.** Railroad may construct spurs; limitation of length. 1§ '07 ch.223, 16 Mar.
- i **Wis.** Amdg. S.'98 §1831a: railroad to obtain consent of authorities to build spur to mills etc. in city. 1§ '07 ch.262, 19 June
- j **Wis.** Amdg. S.'98 §1802: railroad to obtain consent of authorities to build spur to special industry in city. 1§ '07 ch.265, 19 June
- k **Wis.** Railroad to build spur, not over 2 miles long, to mill etc. Adds S.'98 §1797 subdiv.11m, 12n. 2§ '07 ch.352, 24 June

1294

### *Terminal facilities*

- a **Kan.** Bd. of Railroad Comrs. to designate freight terminal points; terminal facilities. 7§ '07 ch.271, 27 Feb.
- b **Nev.** Requesting congressional delegation to endeavor to have railroad terminal points established in state. '07 p.446, 6 Mar.
- c **Tex.** Amdg. R.C.S.'95 art.642 §53: powers of terminal railway company increased. 1§ '07 ch.157, 23 Apr.

1295

**Location. Right of way**

- a **Cal.** Amdg. C.C. §465: railroad may lay out road *10* [9] rods wide with *1 or more* [a double or single] tracks. 1§ '07 ch.78, 4 Mar.
- b **Id.** Articles of incorp. of railroad, telegraph or telephone corp. need not specify terminal points. 2§ '07 p.472, 14 Mar.
- c **Me.** Amdg. R.S.'03 ch.51 §8: railroad to file map of route with *Railroad Comrs.* [Sec. of State and sections in county where located]. 2§ '07 ch.162, 27 Mar.
- d **N. D.** Msdr. to use railroad track for highway purposes. 2§ '07 ch.206, 12 Mar.
- e **N. D.** Acquisition of right of way by railroad by agreement with executor or guardian. 3§ '07 ch.204, 19 Mar.
- f **Or.** Amdg. Ann. C.&S. §3336: amount to be paid by railroads for right of way through state land *to be fixed by Land Bd.* [\$1 per acre]; railroads may bridge rivers *and other navigable waters subject to regulations and compensation to be fixed by such bd.* 1§ '07 ch.232, 25 Feb.
- g **Tenn.** Railroad may lay additional tracks, relocate tracks and reduce curves and grades; eminent domain. 4§ '07 ch.464, 15 Apr.
- h **Wash.** Amdg. '01 ch.173 §1 which grants railroad 50 feet right of way over state land: width of not to exceed 200 feet allowed for special purposes. 1§ '07 ch.104, 11 Mar.
- i **Wis.** Amdg. S.'98 §1828 subdiv. 5: railroad may construct tracks across, *over, under* or along stream or highway. 1§ '07 ch.613, 12 July

1296

**Abandonment. Required operation**

- a **Ind.** Amdg. '65 ch.23 §1 rel. to relocation of railroad tracks: company liable for damages for removal or abandonment of track 1 mile long. 1§ '07 ch.211, 9 Mar.
- b **Minn.** Amdg. R.L.'05 §2038-40: railroad not to abandon line *or spur* except on order of *Railroad and Warehouse Comn.* [District Court]; parties entitled to bring action for unauthorized abandonment. 3§ '07 ch.261, 19 Apr.
- c **Pa.** Comn. to investigate abandonment of canals and of construction of competitive railroads, and recommend legislation for restoration of canals and sale of abandoned railroad construction to independent companies; Atty. Gen. to secure charters of abandoned railroads; report to next Legis. '07 p.831, 14 June

1297

**Eminent domain. Damages**

*See also 382, Eminent domain (general)*

- a **Ala.** Authorizing railroads, subject to approval of Railroad Comn., to condemn land for depots and freight yards. 1§ '07 p.252, 2 Mar.
- b **Tenn.** Authorizing railroad to condemn water supply for its use. 1§ '07 ch.254, 8 Apr.
- c **Wash.** Amdg. Ballinger's Ann. C.&S.'97 §4334: extending right of eminent domain of railroad. 1§ '07 ch.244, 18 Mar.

## RAILWAYS

1298

### Franchise

- a **N. Y.** Amdg. railroad law '90 ch.565 §91 rel. to consents of local authorities to building railroads: those of highway comrs. *and town bd.* necessary in towns. 1§ '07 ch.156, 12 Apr.
- b **S. D.** Railroad not to be constructed within 8 miles of another for more than 10 miles of each 100 without permission of Railroad Comrs. 2§ '07 ch.217, 20 Feb.

1301

### Traffic regulations

1302

### Platforms

- a **N. D.** Steam railroad to light passenger platforms; penalty. 2§ '07 ch.210, 13 Mar.

1303

### Railroad stations

- a **S. D.** Railroad not to abandon or remove station without permission of Railroad Comrs.; penalty. 3§ '07 ch.214, 28 Feb.

1305

### REQUIRED STATIONS. AGENTS

- a **Mo.** Amdg. R.S.'99 §1075: station at junction with branch railroad 18 miles in length; all passenger trains to stop at such station. 1§ '07 p.185, 19 Mar.
- b **S. C.** Amdg. C.C. §2169: Railroad Comrs. may require depots to be erected *within period fixed by them*; penalty \$50 per day [\$5000]. 1§ '07 ch.241, 19 Feb.

1306

### UNION STATIONS

- a **N. C.** Authorizing Corp. Comm. to require railroads maintain union station 1 mile from town to run into corporate limits and maintain such station there; procedure; penalty. 5§ '07 ch.465, 11 Mar.

1308

### Train service

- a **Kan.** Freight train having caboose required to carry passengers; exceptions. 2§ '07 ch.274, 5 Mar.

1310

### REQUIRED TRAINS. STOPS

- a **Ct.** Amdg. G.S.'02 §3748 rel. to petition for order to stop trains: by *local authorities* [10 freeholders] to *Railroad Comrs.* [Superior Court]. 1§ '07 ch.261, 31 July
- b **Mo.** Requiring railroad to run 1 passenger train which shall stop at all stations each way daily; penalty. 2§ '07 p.180, 19 Mar.
- c **Mo.** Amdg. R.S.'99 §1075: station at junction with branch railroad 18 miles in length; all passenger trains to stop at such station. 1§ '07 p.285, 19 Mar.
- d **N. D.** Amdg. R.C.'05 §4302 rel. to stopping trains at county seats. 1§ '07 ch.202, 13 Mar.
- e **N. D.** Railroad to operate 1 passenger and 1 freight train daily; mixed trains; reciprocal demurrage. 7§ '07 ch.200, 14 Mar.

1311

### TRAIN BULLETINS

- a **Id.** Requiring notice of lateness of train to be posted in all stations; penalties. 4§ '07 p.347, 13 Mar.

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- b N. D. Passenger train over 15 minutes late to be bulletined; penalty. 3§ '07 ch.201, 19 Mar.

1312

## *Transfer facilities. Connections*

- a Ark. At junction where trains connect passenger trains required to leave from depot; crier to announce trains; penalty. 6§ '07 ch.146, 3 Apr.
- b Ia. Amdg. C. §2113 rel. to duties of Railroad Comrs.: may require railroad to provide shelter at stations where 2 tracks are operated and track connections with other railroads. 1§ '07 ch.106, 27 Mar.
- c Minn. Amdg. R.L.'05 §2019: where tracks not 500 feet apart Railroad Comm. may require connection between railroads. 1§ '07 ch.27, 1 Mar.
- d S. D. Intersecting railroads to give proper transfer facilities for joint traffic; through and reasonable joint rates; can not limit common law liability as to property transported; Railroad Comrs. to enforce. 8§ '07 ch.212, 26 Feb.

1313

## **Public safety, comfort and order**

1314

### **Safety regulations**

*See also 1128, Boilers and engineers*

- a Ct. Railroad not to change signals without approval of Railroad Comrs. 1§ '07 ch.125, 12 June
- b Fla. Railroad Comrs. to inspect and require keeping in safe condition roadbed and equipment of common carrier; penalty. 5§ '07 ch.27, 27 May
- c Ind. Railroads to use certain safety appliances; overhead bridges; Railroad Comm. to enforce; penalty; company's liability. 15§ '07 ch.118, 8 Mar.
- d Ind. Railroads with gross income of \$7500 per mile to instal block system prior to July 1, 1909; penalty. 3§ '07 ch.205, 9 Mar.
- e Ind. Railroads to issue printed rules to employees; Railroad Comm. to hold annual convention of division supts. to ascertain cause and prevention of accidents; unlawful for employees to be intoxicated on duty; penalties. 5§ '07 ch.272, 12 Mar.
- f Minn. Railroad and Warehouse Comm. may require installation of interlocking devices, block signals etc.; penalty. 3§ '07 ch.276, 22 Apr.
- g Pa. Unlawful to locate light so as to interfere with view of railroad signal; procedure for removal. 2§ '07 ch.44, 4 Apr.

1315

### *Accidents. Liabilities*

*See also 2125, Employers liability*

- a Col. Amdg. G.S.'83 §1030 rel. to recovery for death caused by negligence of common carrier: judgment recovered by surviving spouse to be owned by heirs at law of deceased. 1§ '07 ch.131, 3 Apr.

## RAILWAYS

1315

- b **Ind.** Railroad Comn. to investigate cause of railroad accidents like that at Fowler and Sandford; railroad may participate; report to present Gen. Assembly. 6§ '07 ch.295, 24 Jan.
- c **Ia.** Railroad Comrs. to investigate railroad accident resulting in personal injury; report to Gov. 1§ '07 ch.110, 27 Mar.
- d **Me.** Corp. interested to have right to be heard at coroner's inquest in case of railroad accident. 1§ '07 ch.81, 20 Mar.
- e **Minn.** Amdg. '05 ch.122 §1, 2: railroad to report accident occurring in operation of train, and involving loss of life or personal injury, to Railroad and Warehouse Comn. immediately by telephone or telegraph; other accidents on 1st of month. 2§ '07 ch.290, 22 Apr.
- f **N. D.** Railroad to report accident; Railroad Comrs. to investigate and report to Legis.; penalty. 4§ '07 ch.205, 7 Mar.
- g **N. D.** Amdg. R.C.'05 §5678: common carrier can not by agreement in advance exonerate itself from liability for gross negligence. 1§ '07 ch.57, 13 Mar.
- h **Wis.** Amdg. S.'98 §4256: damages against railway company for death of person not to exceed \$10,000 [\$5000]. 1§ '07 ch.581, 12 July

1316

### *Brakes. Couplers*

- a **Mich.** Requiring railroad cars to be equipped with automatic couplers; penalty. Rep.'85 ch.147. 3§ '07 ch.234, 27 June

1317

### *Crossings*

- a **Ark.** Freight train not to stand across crossing; passenger train not over 10 minutes; penalty. 3§ '07 ch.290, 10 May
- b **Ill.** Amdg. '91 p.181 §3 rel. to interlocking devices at railroad crossings: omits provision requiring a railroad desiring to cross another to bear entire cost of installation. 1§ '07 p.474, 25 May
- c **Ill.** Amdg. '89 p.223 §1, 2. rel. to railroad crossings: application to Railroad & Warehouse Comn.; distribution of costs. 2§ '07 p.475, 25 May
- d **Ind.** Amdg. '05 ch.129 §31 rel. to powers of town trustees: may require railroads to construct signs and signals at street crossings; review and inspection by Railroad Comn.; penalty. 2§ '07 ch.90, 1 Mar.

1319

### HIGHWAY CROSSING

- a **Ala.** City of over 35,000 may compel construction of viaducts and tunnels across railroad tracks; apportionment of cost. 5§ '07 p.736, 13 Aug.
- b **Ark.** Amdg. S.'04 §6682: road overseer to give railroad 60 [20] days' notice to repair highway crossing. 2§ '07 ch.340, 17 May
- c **Ct.** Railroad Comrs. may order removal of obstructions to view 150 feet each side of crossing at grade of highway and railroad; expense to be borne by company. 2§ '07 ch.224, 27 July
- d **Ct.** Railroad Comrs. may make order for change in highway passing over or under railroad and apportion expense. 2§ '07 ch.260, 31 July

1319

- e **Mass.** Procedure to award cost of constructing and maintaining new highway at railroad crossing. Amds. '06 ch.463 pt.2 §116. 1§  
'07 ch.315, 18 Apr.
- f **Mon.** Msdr. for railroad to obstruct highway at crossing. 1§  
'07 ch.43, 26 Feb.
- g **Vt.** Railroad Comrs. to order abolition of grade crossings, state to pay 25%, locality 10%, railroad balance; in case of highway constructed since railroad, respective shares to be 25%, 15%, 60%; 1 such crossing to be abolished each year for each 80 miles of railroad; if ordered at instance of comrs. state to pay 20%, corp. balance; \$25,000 available each year for state's share. 10§ '06 ch.125, 9 Nov.
- h **Wis.** Unlawful to leave railroad car or locomotive across highway crossing, outside of city, for over 10 minutes; penalty. Adds S.'98 §1326m-n. 2§ '07 ch.70, 3 May
- i **Wis.** Railroad, outside of city, to keep in repair portion of highway crossing right of way. Adds S.'98 §1299h subdiv.1. 1§  
'07 ch.120, 21 May
- j **Wis.** Amdg. S.'98 §1809 rel. to crossing highway by railroad train. Rep. §1809a. 2§ '07 ch.595, 12 July

1320

GATES, FLAGMEN, SIGNALS

- a **Minn.** When unusual number of trains are being operated through city or village Railroad and Warehouse Comm. may require stationing of flagmen. Adds new §5 to '05 ch.280. 5§ '07 ch.396, 24 Apr.
- b **Vt.** Amdg. S. §3851, 3852 as to electric signals at railroad crossings in towns; *Chancery* [Supreme] Court to have jurisdiction. 2§  
'06 ch.119, 22 Nov.

1320(5)

Employees

Regulations in interest of *public safety*; for safety of employees *see* 2080

- a **Ct.** Amdg. G.S.'02 §1144: penalty for misconduct of employee of railroad *or electric railway* causing personal injury. 1§  
'07 ch.267, 1 Aug.
- b **Ind.** Regulating size and composition of train crews; penalty \$100 to \$500 and liability for resulting damages; Railroad Comm. to enforce. 4§ '07 ch.11, 13 Feb.
- c **Neb.** Msdr. for common carriers to employ minor as night telegraph operator or towerman. 2§ '07 ch.154, 29 Mar.
- d **N. C.** Amdg. Revisal '05 §3758: msdr. for *any employee* [engineer, conductor or brakeman] of steam *or street* railroad to be intoxicated on duty. 1§ '07 ch.330, 23 Feb.
- e **Tex.** Requiring crew of 4 for passenger and 5 for freight train and 3 for light engine; penalty. 4§ '07 ch.41, 25 Mar.
- f **Wis.** Passenger train to be run with full crew; penalty. Adds S.'98 §1809r-u. 4§ '07 ch.402, 25 June
- g **Wis.** Railroad not to employ telegraph operator under age of 18; experience required; penalty. Adds S.'98 §1809j. 1§  
'07 ch.477, 9 July



# STREET RAILWAYS

1321

## *Fencing. Cattle guards. Injury to stock*

- a **Ark.** Amdg. S.'04 §6774: double damages and counsel fee to be recovered against railroad refusing to pay for injured stock in 30 days. 2§ '07 ch.61, 27 Feb.
- b **Id.** Requiring railroad to maintain fences, farm crossings and cattle guards. Rep. R.S.'87 §2680. 5§ '07 p.323, 13 Mar.
- c **Ia.** Amdg. C. §2057 rel. to fencing along railroad: of barb *or* woven wire; cattle guards for cattle, horses, *sheep and swine*; *hog tight on request of owner of abutting land*. 1§ '07 ch.100, 1 Apr.
- d **Ia.** Amdg. C. §2022: railroad to place cattle guards at private crossing. 1§ '07 ch.96, 5 Apr.
- e **Minn.** Amdg. R.L.'05 §1997 rel. to fencing along line of railroad: where owner has inclosed 3 sides of field with woven wire fence, railroad to complete with same material. 1§ '07 ch.333, 23 Apr.
- f **Mon.** Amdg. C.C. §950 rel. to liability of railroad for injury to stock. 2§ '07 ch.59, 1 Mar.
- g **Mon.** State Bd. of Stock Comrs. may sue for live stock killed by railroad where owner presents no claim; proceeds to be credited to stock indemnity fund. 1§ '07 ch.183, 9 Mar.
- h **N. D.** Railroad to maintain proper fences and cattle guards; liability. 1§ '07 ch.209, 14 Mar.
- i **S. D.** Railroad to pay double damages for injury to stock if not settled in 60 days. 2§ '07 ch.218, 20 Feb.
- j **Vt.** Amdg. S. §3880-82 rel. to construction of fences, cattle guards and farm crossings by railroads: notice to company; order of comrs.; penalty. 3§ '06 ch.120, 19 Nov.
- k **Wash.** Requiring railroad to fence right of way; noncompliance prima facie evidence of negligence where cattle injured. 3§ '07 ch.88, 9 Mar.
- n **Wis.** Amdg. S.'98 §1813 rel. to fencing right of way through private land by railroad: penalty \$10 *per day* [for each locomotive passing through]. 1§ '07 ch.623, 13 July
- p **Wy.** Requiring railroads to construct and maintain fences and cattle guards; liable for injury to stock in case of failure. 2§ '07 ch.84, 18 Feb.

1322

## *Fire guards. Injury by fire*

- a **Ark.** Making railroad liable for damage caused by fire resulting from operation or from act of employee, whether or not negligence be shown. 2§ '07 ch.141, 2 Apr.
- b **Mass.** Railroads to maintain spark arresters on engines; to keep space 200 feet each side of center of location free from inflammable material; train crew to give signal of fire from engine and notify sectionmen; latter to extinguish fire. 6§ '07 ch.431, 17 May
- c **S. D.** Where damage is caused by locomotive or fire built by employees on right of way, double damages to be recovered from railroad if not settled in 60 days. 2§ '07 ch.215, 25 Feb.

1326

*Whistles. Locomotive signals*

- a **Ark.** Requiring locomotive headlights of 1500 candle power on railroads of over 50 miles; penalty; enforcement. 3§  
'07 ch.402, 28 May
- b **Tex.** Requiring headlight of 1500 candle power, without reflector, on locomotive; penalty. 2§  
'07 ch.32, 20 Mar.

1328

**Public comfort regulations**

For labor on railways *see* 2077, Labor

- a **Ark.** Unlawful to solicit patronage for hotel or physician on car or premises of railroad; latter not to permit soliciting for any business except baggage transfer and sale of periodicals; penalty. 4§  
'07 ch.236, 30 Apr.
- b **Mon.** Railroad, telegraph and express companies to allow installation of telephone in office; must answer during business hours inquiries as to service; penalty. 3§  
'07 ch.182, 9 Mar.
- c **Wis.** Railroad company to furnish telephone connection with offices; Railroad Comm. to enforce. Adds S.'98 §1797g subdiv.1-3. 3§  
'07 ch.614, 12 July

1329

*Cars*

- a **Ct.** Amdg. G.S.'02 §3890: Railroad Comrs. to make orders for heating and lighting passenger cars [and report neglect to Gen. Assembly]. 1§  
'07 ch.248, 1 Aug.
  - b **N. C.** Railroads to keep passenger cars clean; penalty. 3§  
'07 ch.474, 11 Mar.
  - c **Wis.** Occupant of lower berth in sleeping car may require unoccupied upper berth to be opened or closed. Adds S.'98 §1636p. 1§  
'07 ch.265, 19 June
- Unconst. Appropriates property of one for benefit of another.  
State *v.* Redmon 114 N. W. 137 (1907)

1331

*Waiting room*

- a **Ark.** Councils of cities and incorporated towns may require railroads to maintain foot walks to passenger depots. 2§  
'07 ch.301, 13 May
- b **Ia.** Amdg. C. §2113 rel. to duties of Railroad Comrs.: may require railroad to provide shelter at stations where 2 tracks are operated and track connections with other railroads. 1§  
'07 ch.106, 27 Mar.
- c **Minn.** Amdg. R.L.'05 §2028: railroad to maintain separate waiting rooms for men and women in places of 1000 [1000]. 2§  
'07 ch.54, 21 Mar.
- d **Tex.** Declaring unconst. '05 ch.133 requiring railroad to maintain water-closets at all depots. Deprives of property without due process of law.  
Missouri, K. & T. Ry. Co. of Texas *v.* State 100 S. W. 766 (1907)

## STREET RAILWAYS

### 1332 Public order. Railway police

#### 1333 *Injury. Robbery. Stealing*

- a **Id.** Penalty for injuring tracks or cars of railroad 10 years or \$1000. 1§ '07 p.315, 13 Mar.
- b **Mich.** Msdr. to throw missile at railroad or street car. 1§ '07 ch.246, 27 June
- c **Nev.** Amdg. C.L.'00 §4833: felony to injure railroad signal device. 1§ '07 ch.157, 28 Mar.
- d **Nev.** Amdg. C.L.'00 §4711: arson in 2d degree to burn railroad car or engine. 1§ '07 ch.171, 29 Mar.
- e **N. C.** Dealers in railroad brasses to keep record of purchase; not to buy brasses broken up and with marks obliterated, or from minors; penalties. 2§ '07 ch.464, 11 Mar.
- f **N. C.** Penalty for breaking into freight car 5 years. 2§ '07 ch.468, 11 Mar.
- g **U.** Amdg. R.S.'98 §4423 rel. to injuries to railroads. 1§ '07 ch.63, 14 Mar.

#### 1334 *Railway police*

- a **N. C.** Amdg. Revisal '05 §2607: railroad police to give bonds. 1§ '07 ch.462, 9 Mar.
- b **N. C.** Prohibiting use of profane language in passenger train; penalty; creating conductors and depot agents special police. 4§ '07 ch.470, 11 Mar.
- c **Or.** Giving conductors and engineers of railroad trains authority of sheriffs. 1§ '07 ch.206, 25 Feb.

#### 1335 *Stealing ride. Boarding train*

- a **Me.** Amdg. R.S.'03 ch.52 §7: penalty for refusing to pay fare on train or boat. 1§ '07 ch.134, 26 Mar.
- b **Neb.** Msdr. to steal or attempt to steal ride on railroad train. 3§ '07 ch.168, 19 Mar.

### 1337 Street railways

*See also 500, Corporations; 841, 845, Taxation; 2040, Labor*

- a **Kan.** Amdg G.S.'01 §5967, 5997: powers of Railroad Comrs. extended over electric railroads operated in more than 1 county. 2§ '07 ch.267, 25 Feb.
- b **Kan.** Electric railway company may construct and operate electric light plant. 2§ '07 ch.287, 9 Mar.
- c **Kan.** Amdg. G.S.'01 §5907, 5911 rel. to issuance of bonds by cities in aid of railroads: act to apply to railroads operated by electricity or other motive power. 3§ '07 ch.285, 11 Mar.
- d **Me.** Street railways may amend charter so as to extend line and increase capital stock by petition to Railroad Comrs. 3§ '07 ch.94, 21 Mar.
- e **N. C.** Street railways may build and maintain water power plants; eminent domain. 3§ '07 ch.302, 23 Feb.
- f **N. D.** Urban electric railways granted same powers as steam railroads. 1§ '07 ch.212, 13 Mar.

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- g **Tenn.** Making more specific rights of interurban railway not operated by steam. 4§ '07 ch.433, 12 Apr.
- h **Wash.** Amdg. '03 ch.175 §1 rel. to construction of railways using power other than steam [electricity]. 1§ '07 ch.99, 11 Mar.
- i **Wy.** Amdg. R.S.'99 §1715: cities and towns may grant street railway franchises for not to exceed 25 [10] years. 1§ '07 ch.6, 5 Feb.

1338

**Underground and elevated roads**

- a **Mass.** Boston Transit Comn. to ascertain whether congestion and delay in moving freight in that city can be relieved by subways; expense of investigation to be borne by city; report to Gen. Court by Jan. 10, 1908. 1§ '07 ch.247, 28 Mar.
- b **Mass.** Amdg. '02 ch.534 §6 providing for construction of additional tunnels and subways in Boston. 1§ '07 ch.258, 29 Mar.
- c **Mass.** Adding subdiv. F §28, 29 to '06 ch.516 rel. to recovery of damages by abutters on elevated electric railroads. 2§ '07 ch.448, 24 May
- d **Mass.** Construction of Riverbank Subway in city of Boston. 18§ '07 ch.573, 28 June

1339

**Corporate organization and powers, see 1337**

1341

*Conditional sale of equipment*

- a **Ia.** Amdg. C. §2051 rel. to conditional sale of railway equipment: power houses and electrical equipment of railway, electric light and power, and steam heating companies included. 1§ '07 ch.99, 4 Apr.

1342

*Consolidation, sale, lease, contracts*

- a **Mich.** Amdg. C.L.'97 §6468 rel. to consolidation of street railway and electric [light] company. 1§ '07 ch.305, 28 June
- b **Pa.** Railroad not to acquire stock of street railway owning competing line; penalties. 3§ '07 ch.281, 1 June

1345

*Mail. Express. Light freight*

- a **Mass.** Street railway may petition bd. of city or town for permission to carry express matter and freight; appeal to Railroad Comrs. Rep. '06 ch.463 pt.3 §41. 2§ '07 ch.402, 10 May
- b **Pa.** Street railways may do express and light freight business. 1§ '07 ch.80, 22 Apr.

1349

*Stock. Bonds*

- a **Pa.** Bonds of street railway organized pursuant to '99 ch.227, may be made payable at time to be fixed by directors with consent of majority of stock. 2§ '07 ch.233, 29 May

1350

**Public ownership and aid**

- a **Mo.** City of 100,000 may construct or acquire and operate or lease transportation subway; lease for not longer than 50 years and on vote of electors; bond issue. 3§ '07 p.117, 18 Mar.

## STREET RAILWAYS

1350

- b **Wash.** Municipality may sell street railway owned by it; referendum. 3§ '07 ch.86, 8 Mar.
- c **Wis.** City may construct and lease street railway tracks on bridges and viaducts owned by city; franchise for use of tracks not to be exclusive. Adds S.'98 §959 subdiv.30l-m. 3§ '07 ch.517, 9 July
- d **Wis.** Acquisition by municipality of street railway hereafter granted franchise. Adds S.'98 §1797t subdiv.I-12. 12§ '07 ch.578, 12 July

### General supervision *see* 1337

1353

#### *Construction*

1355

#### GRADE

- a **Ct.** Amdg. G.S.'02 §3824 rel. to apportioning cost of change of grade of highway between municipality and street railway. 1§ '07 ch.219, 18 July

1359

#### *Location. Right of way*

*See also* 2710, Paving

1361

#### EMINENT DOMAIN

- a **Mo.** Giving interurban electric railway right of eminent domain for acquiring right of way. Adds R.S.'99 §1174a. 1§ '07 p.174, 19 Mar.
- b **Tex.** Interurban electric railways: right of eminent domain; authority to sell electric light and power. 7§ '07 ch.15, 9 Mar.
- c **Wis.** Amdg. S.'98 §1863a: electric railway may condemn right of way to transmit current to supply light, heat and power for public purposes. 1§ '07 ch.580, 12 July

1362

#### FRANCHISES. LOCATION OF TRACK. EXTENSIONS

*See also* 2628, Franchises (general)

- a **Col.** County comrs., with consent of owners of majority of abutting property, may grant franchise to electric road along county road. 8§ '07 ch.183, 9 Apr.
- b **Ia.** Amdg. C. §2026: supervisors may authorize location of interurban railway on highway less than 100 feet wide on consent of  $\frac{2}{3}$  of residents owning abutting property. 1§ '07 ch.97, 13 Apr.
- c **Me.** Mun. officers to give public hearing on application for construction of street railway; appeal from decision to Railroad Comrs. Amds. R.S.'03 ch.53 §7. 2§ '07 ch.132, 26 Mar.
- d **Mass.** Amdg. '06 ch.516 §6, 7, 12, 13 rel. to construction and location of electric railways. 5§ '07 ch.428, 17 May
- e **Pa.** Municipalities may contract with street railways rel. to franchises, duties, liabilities and ultimate acquisition by municipalities of railways. 1§ '07 ch.66, 15 Apr.
- f **Pa.** Amdg. '89 ch.227 §2 rel. to incorp. of street railways: consent of local authorities to be obtained first. 1§ '07 ch.265, 1 June

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1362

- g **Pa.** Granting right of eminent domain to street railways organized under '89 ch.227 with consent of owners of 51% of highway frontage and of local authorities; on making use of right, to be common carriers of express matter and light freight. 8§  
'07 ch.266, 1 June
- h **Pa.** Street railway may acquire property to relocate tracks to facilitate operation. 1§  
'07 ch.332, 12 June

1363

JOINT USE OF TRACK OR STREET

- a **Cal.** Amdg. C.C. §499 rel. to use of same street or tracks by different street railways: may do so by contract; permitted when of different gage. 1§  
'07 ch.448, 21 Mar.
- b **Ia.** Street railway to permit joint use of terminal facilities and power in city by interurban railway. 6§  
'07 ch.104, 5 Apr.
- c **Wis.** City may construct and lease street railway tracks on bridges and viaducts owned by city; franchise for use of tracks not to be exclusive. Adds S.'98 §959 subdiv.301-n. 3§  
'07 ch.517, 9 July
- d **Wis.** City may compel common use of tracks by street or electric railway companies. Adds S.'98 §940j subdiv.41-44. 4§  
'07 ch.536, 9 July

1365

*Fares. Passes*

- a **N. H.** Street railways may make special rates for school children. 2§  
'07 ch.131, 5 Apr.
- b **Pa.** Street railways in cities of 2d class not to charge more than 5c for continuous ride; penalty. 3§  
'07 ch.305, 7 June

1368

**Public safety and comfort**

- a **Ct.** Amdg. G.S.'02 §3697: electric railroad not to be operated till Railroad Comrs. certify as to its safe condition. 1§  
'07 ch.124, 12 June
- b **Ct.** Street railway to run cars so as to afford reasonable facilities for passengers and for receiving from and delivering passengers to connecting street railway; Railroad Comrs. to enforce. 2§  
'07 ch.225, 27 July
- c **N. C.** Regulations for street cars: separate seats for white and colored passengers; expectoration, profane language and standing on platforms forbidden. 8§  
'07 ch.850, 9 Mar.
- d **Wis.** Fenders on street and interurban railway cars; penalty. Adds S.'98 §1636 subdiv.58. 2§  
'07 ch.390, 25 June

1370

*Guards. Brakes*

- a **N. H.** Double truck cars of electric street railways to be equipped with power brakes by 1910; penalty. 2§  
'07 ch.113, 4 Apr.

1373(7)

*Waiting room*

- a **Ind.** Interurban street railways in cities of over 35,000 to maintain waiting rooms with separate toilets; to be open 1 hour before train time; penalty \$25 to \$500. 2§  
'07 ch.35, 21 Feb.

## TRANSPORTATION AND COMMUNICATION

1373(7)

- b Tenn.** Street railroad may acquire land by condemnation for station. 2§ '07 ch.446, 12 Apr.

1374

### Public order. Police

- a N. H.** Amdg. P.S. ch.160 §8, 29: penalty for disorderly conduct in electric car or railroad waiting room; employees of electric railway may be made police. 3§ '07 ch.124, 4 Apr.
- b N. C.** Amdg. Revisal '05 §2065, 2607: Gov. may appoint employees of steam or electric railroads and electric or water power or construction company, police. 2§ '07 ch.128, 7 Feb.
- c N. C.** Separate seats in street cars for white and colored passengers; expectation, profane language and standing on platforms forbidden. 8§ '07 ch. 850, 9 Mar.

1378

### Express

*See also 500, Corporations; 841, 845, Taxation; 1345, Street railways*

- a Del.** Amdg. '67 ch.117 §23 which requires express company to frank books and documents for public purposes and certain public offices: those of State Treasurer and Auditor of Accounts included; penalty for fraudulent use. 2§ '07 ch.45, 21 Mar.
- b Kan.** Amdg. G.S.'01 §442 rel. to banks: firm or corp. which receives money on deposit, or receives money for which it issues check or other evidence of indebtedness for which it charges a fee, to be considered as doing a banking business. 1§ '07 ch.64, 9 Mar.
- c Kan.** Regulating express companies; excise tax. 7§ '07 ch.202, 9 Mar.

1379

### Rates. Discrimination

- a Fla.** Express company to post rates and weigh articles on demand; penalty. 3§ '07 ch.31, 27 May
- b Fla.** Express company to transport package under 50 pounds and \$50 value 200 miles within state for 25c. 2§ '07 ch.32, 3 June
- c Ia.** Railroad laws rel. to rates applicable to express companies; Railroad Comrs. to regulate; schedules to be posted; refusal to transport; penalties. Rep. C. §2165-66. 7§ '07 ch.116, 1 Apr.
- d Neb.** Express companies to file schedules of rates in force Jan. 1, 1907, and to charge hereafter not more than 75% of such rates; to be enforced by State Railroad Comm. 6§ '07 ch.91, 5 Apr.
- e N. H.** Railroad Comrs., on petition and after hearing, may fix charges of express companies. 2§ '07 ch.100, 2 Apr.

1384

### Canals

- a Fla.** Requesting Cong. to have survey for ship canal across peninsula made. 2§ '07 p.777, 7 May
- b Ga.** Memorializing Cong. to have made surveys for canal from St Mary's to Gulf. '07 p.992, 22 Aug.
- c N. Y.** Amdg. '03 ch.147 §6: plans, maps, estimates etc. of barge canal to be submitted to advisory bd. of consulting engineers. 1§ '07 ch.394, 31 May

1384

- d **N. Y.** Amdg. canal law '94 ch.338 §23 rel. to duties of Supt. of Public Works: *may employ advisory engineer*; permit ice to be cut from canals *on terms advantageous to state* [by residents in vicinity for domestic use]. '07 ch.495, 13 June
- e **N. Y.** Route of new barge canal. Amds. '03 ch.147 §3. 3§ '07 ch.710, 23 July
- f **Or.** Appropriating \$300,000, contingent on like amount from U. S. govt. to construct boat canal around falls at Willamette; to be operated by U. S. 4§ '07 ch.95, 23 Feb.
- g **Pa.** Amdg. '95 ch.129 §10, 13, 15, 19 rel. to ship canal companies to connect Great Lakes with navigable rivers. 5§ '07 ch.318, 8 June
- h **Pa.** Comn. appointed to investigate abandonment of canals and of construction of competitive railroads, and recommend legislation for restoration of canals and sale of abandoned railroad construction to independent companies; Atty. Gen. to secure charters of abandoned railroads; report to next Legis. '07 p.831, 14 June
- i **Wash.** County of 1st class may incur \$500,000 indebtedness to aid U. S. govt. in construction of canal. 3§ '07 ch.158, 13 Mar.
- j **Wis.** Requesting Cong. to determine advisability of ship canal connecting Great Lakes with Mississippi river via Portage City. '07 p.1268

1388

## Ferries. Fords

1391

### Public

- a **N. Y.** City of New York may acquire and operate ferries. Adds Greater New York charter §824a. 2§ '07 ch.450, 7 June

1393

## Bridges. Tunnels

*See also 2700*

- a **Ill.** City or village may acquire and maintain bridges outside corporate limits; tolls; control; bonds. 4§ '07 p.501, 4 June
- b **Ind.** Amdg. '05 ch.167 §39 rel. to construction of bridges on highways: bids to be in 10 days before letting; price of any patented device to accompany specifications. 1§ '07 ch.212, 9 Mar.
- c **Ia.** City of 1st class may issue bonds maturing in 25 years for construction of bridge; levy; sinking fund. 3§ '07 ch.36, 1 Apr.
- d **Ia.** Amdg. C. §771, '04 ch.29 §1: damages caused by construction of viaduct in city of 12,000 [50,000] how paid. 2§ '07 ch.38, 1 Apr.
- e **Kan.** Amdg. '03 ch.95 §1 rel. to bridges: if bids are rejected because too high, bd. may purchase material and award contract for amount not exceeding lowest rejected bid. 1§ '07 ch.68, 18 Feb.
- f **Me.** Acquisition of toll bridges by counties. 4§ '07 ch.179, 28 Mar.
- g **Minn.** City of 50,000 may issue \$400,000 to construct bridges over navigable river therein. 2§ '07 ch.283, 22 Apr.
- h **Minn.** Cost of certain bridges to be divided equally between township and county. Amds. R.L.'05 §1203, 1205; rep.'05 ch.80, 195. 4§ '07 ch.423, 25 Apr.



## TRANSPORTATION AND COMMUNICATION

1393

- i **Mo.** Amdg. R.S.'99 §5187: contractor for county bridge may give surety company bond. 1§ '07 p.400, 20 Mar.
- j **Neb.** County bd. may exercise right of eminent domain for protection of roads and bridges from damage by water. 4§ '07 ch.113, 29 Mar.
- k **N. Y.** Amdg. '01 ch.712 §1, 2, 4 rel. to relieving congestion on N. Y. and Brooklyn Bridge: comr. of bridges of N. Y. city may alter plans from time to time. 3§ '07 ch.90, 28 Mar.
- n **N. C.** Amdg. Revisal '05 §2696: limit of \$500 for construction of county bridge removed. 1§ '07 ch.185, 14 Feb.
- p **N. D.** Amdg. R.C.'05 §1378, 1380 rel. to county bridge in township, *village or city*. 2§ '07 ch.42, 13 Mar.
- q **Pa.** Inadequate county bridges may be replaced by county comrs. with approval of Court of Quarter Sessions and grand jury. 1§ '07 ch.1, 14 Feb.
- r **Pa.** Amdg. '95 ch.101 §6 rel. to partial payments to contractors rebuilding at expense of commonwealth county bridges destroyed by calamity. 1§ '07 ch.50, 4 Apr.
- s **Pa.** Extending provisions of '60 ch.61 §13 rel. to roads and bridges in York county to other counties. 2§ '07 ch.185, 25 May
- t **Pa.** Boroughs may erect bridges within and extending without corporate limits and contract with counties and railroads as to cost of same. 10§ '07 ch.188, 25 May
- u **Pa.** Amdg. '36 ch.169 §35 rel. to county bridges: authorizing construction in cities and boroughs. 1§ '07 ch.330, 12 June
- v **Tenn.** County may build bridge; may condemn land and riparian rights. 5§ '07 ch.583, 15 Apr.

1396

### Bridges on boundaries

- a **Ark.** Amdg. S.'04 §548 rel. to construction and maintenance of bridge on county line. 1§ '07 ch.44, 23 Feb.
- b **Cal.** Amdg. P.C. §2713 rel. to construction of bridges by counties: cost not to be apportioned between counties when crossing boundary and reaching into municipality. 1§ '07 ch.466, 22 Mar.
- c **Cal.** Adjoining counties may contract with corp. for construction or repair and joint use of bridge on boundary; neither county to pay more than 1/3. 1§ '07 ch.528, 23 Mar.
- d **Ill.** Counties and towns to build and maintain approaches to bridges on or near county or town line. 1§ '07 p.500, 4 June
- e **Kan.** Amdg. G.S.'01 §572 rel. to bridges on county boundaries: cost may be apportioned by agreement between bds. of county comrs. 1§ '07 ch.69, 7 Mar.
- f **Minn.** County or municipality may contract with local authorities of neighboring state or province to construct bridge over boundary stream. 1§ '07 ch.399, 24 Apr.
- g **N. J.** Amdg. '04 ch.101 §2, 4-6 rel. to construction and maintenance by county of viaducts between municipalities. 4§ '07 ch.31, 9 Apr.

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- h N. Y. Continuing comn. appointed pursuant to '06 ch.260 to investigate construction of bridges over and tunnels under Hudson river at N. Y. city; bridge comr. and appointee of mayor of N. Y. city added; \$5000. 2§ '07 ch.319, 7 May
- i Pa. Amdg. '97 ch.39 rel. to bridges over streams forming county lines; *railroads not prohibited from using*; counties to pay *entire* expense of construction [state paid 50%]. 1§ '07 ch.96, 25 Apr.
- j Pa. Amdg. '36 ch.169 §46 rel. to appointment of viewers for construction of bridges on county lines or within  $\frac{1}{4}$  mile thereof: not necessary if wholly within county. 1§ '07 ch.148, 8 May

1397

## Injuries

1398

## Fast driving

- a N. M. \$5 fine to drive faster than walk on bridges with notice posted. 3§ '07 ch.20, 16 Mar.

1399

## Engines

*See also 2740, Roads*

- a Ill. Rep. '85 p.247 §3 rel. to use of planks on bridges by steam engines; and amdg. §4 by omitting penalty for violation of §3. 1§ '07 p.519, 17 May

1402

## Railroad bridges

- a Ct. Amdg. G.S.'02 §2094: municipality owning drawbridge used by street railway to receive from state \$750 [\$500] annually. 1§ '07 ch.244, 31 July
- b Fla. County comrs. may contract with passenger railway for joint construction and maintenance of bridge along highway. 3§ '07 ch.98, 22 May
- c Mo. Railroad not to charge extra fare for crossing bridge; penalty. 2§ '07 p.180, 18 Feb.
- d Mo. Railroad not to make extra charge for transportation of freight over bridge; penalty. 2§ '07 p.188, 22 Mar.

1411

## Telegraph and telephone

*See also 320, Crimes against property; 500, Corporations; 841, 845, Taxation; 2040, Labor*

- a Nev. Creating Railroad Comn. and giving it control over telegraph and telephone companies; rates; service. 38§ '07 ch.44, 5 Mar.
- b N. Y. Applies provisions rel. to telegraph and telephone companies to corporations for generation and distribution of music electrically. Adds §106 to transportation corporations law '90 ch.566. 1§ '07 ch.310, 6 May
- c S. D. Telephone companies may execute mortgages; record, notice and effect. 1§ '07 ch.240, 3 Mar.

1412

## Corporate organization and powers

- a Ct. Authorizing organization of telephone company under joint stock law. 2§ '07 ch.245, 31 July

## TRANSPORTATION AND COMMUNICATION

1412

- b** **Tenn.** Amdg. '75 ch.142§ 8: form of charter of telegraph or telephone company. 1§ '07 ch.134, 21 Feb.

1413

### Public ownership

- a** **Neb.** Amdg. C.S.'05 §4138: precinct, township, city of 2d class or village may issue bonds for construction or purchase of telephone system. 2§ '07 ch.76, 19 Feb.
- b** **S. D.** Cities may operate telephone systems. 2§ '07 ch.88, 6 Mar.

1414

### Supervision

- a** **N. C.** Enlarging powers of Corp. Comm.: safety and comfort of patrons of public service corporations; block system crossings; operation of trains; connections; to have same control of telegraph and telephone companies as of railroads; rates; discriminations. Amds. Revisal '05 §1066, 1096-97, 1110; rep. §2567 subdiv.9. 7§ '07 ch.469, 11 Mar.
- b** **N. C.** Extending authority of Corp. Comm. over telephone and telegraph companies to individuals. 1§ '07 ch.966, 11 Mar.
- c** **S. D.** Creating Bd. of Telephone Comrs. to consist of State Treasurer, State Auditor and 1 member appointed by Gov. for 2 years with salary of \$1200; may fix maximum rates and compel connection between companies; schedules of property to be filed with comm.; discriminations prohibited; penalties. 14§ '07 ch.239, 11 Mar.
- d** **Wis.** Amdg. '05 ch.362 §1, 2, 10, 14, 16, 18 rel. to Railroad Comm.: employees; jurisdiction extended to telegraph companies; provisions rel. to railroads; corp. to furnish list of stockholders; publication of opinions; annual report to Gov. Adds S. '98 §1797 subdiv.37m-n. 8§ '07 ch.582, 12 July

1415

### Franchise. Location

- a** **Id.** Articles of incorp. of railroad, telegraph or telephone corp. need not specify terminal points. 2§ '07 p.472, 14 Mar.

1416

### EMINENT DOMAIN. DAMAGES

- a** **Wis.** Amdg. S.'98 §1778a: telegraph, telephone and power transmission companies given right of eminent domain over railroad right of way. 1§ '07 ch.631, 13 July
- b** **Wis.** Amdg. S.'98 §1778a, d: telegraph, telephone, power, heat and light companies authorized to condemn land. 2§ '07 ch.662, 16 July

1418

### PLACING OF WIRES AND POLES

*See also 2645, Electricity*

- a** **Vt.** Owners of line of wires to maintain straight and painted poles in front of cemetery; penalty. 2§ '06 ch.133, 21 Nov.
- b** **W. Va.** Amdg. C. ch.42 §2: right of eminent domain granted to electric power, light and traction companies, municipalities and water companies for waterworks; electric poles and wires may be placed along road with consent of County Court. Rep. ch.54 §48a. 2§ '07 (ex. sess.) ch.13, 6 Mar.

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- c **Wis.** Prohibiting placing of poles or stringing wires on private property; msdr. to refuse to remove. Adds S.'98 §4471. 1§  
'07 ch.669, 16 July

1420

## Rates. Discrimination

- a **Vt.** Supplementing S. §4257, 4258 rel. to discriminations in rates by telephone companies: penalty \$50 to \$100. 1§ '06 ch.132, 17 Dec.

1421

## Transmission and delivery. Secrecy

- a **Fla.** Penalty of \$50 and damages for failure of telegraph company to transmit message promptly. 3§ '07 ch.33, 27 May
- b **Fla.** Penalty of \$50 and damages for refusal of telegraph company to transmit message. 2§ '07 ch.34, 27 May
- c **Me.** Telegraph companies to maintain, in places of 12,000 where doing business, office open from 8 a. m. to 8 p. m. on secular days; messages to be delivered without charge within radius of 1 mile. 1§  
'07 ch.180, 28 Mar.
- d **Minn.** Amdg. R.L.'05 §5134: divulgence of telegraphic or telephonic message prohibited. 1§ '07 ch.212, 15 Apr.
- e **Mo.** Amdg. R.S.'99 §1259 rel. to liability of telegraph and telephone companies for negligence of operators. 1§ '07 p.189, 13 Mar.
- f **Mo.** Amdg. R.S.'99 §1255: prompt transmission and delivery of message by telegraph or telephone company; penalty \$300 [\$200]. 1§  
'07 p.188, 18 Mar.
- g **N. D.** Prompt transmission and delivery of telegraph messages; penalty. 4§ '07 ch.246, 13 Mar.
- h **Tex.** Telegraph and telephone companies to make connections with other such companies; procedure to compel. 5§  
'07 (ex. sess.) ch.12, 16 May
- i **U.** Amdg. R.S.'98 §2697-98, 2700: notice, written instrument or evidence thereof may be sent by telegraph or telephone. 3§  
'07 ch.21, 9 Mar.
- j **U.** Amdg. R.S.'98 §4347, 4443-45, 4460, 4462-64: penal provisions as to telegraph operators in transmission of messages extended to telephone operators. 8§ '07 ch.23, 11 Mar.
- k **Vt.** Amdg. S. §4256: telegraph or telephone corp. [employee of] neglecting to send message to be fined \$50 to \$500 [\$5 to \$100]. 1§  
'06 ch.131, 10 Dec.
- n **Wis.** Amdg. S.'98 §1778: telegraph company liable for mental anguish caused by failure to transmit message; not to exceed \$500. 1§  
'07 ch.165, 6 June

1422

## Commerce and industry (general)

1425

## Weights and measures

- a **Mass.** Penalty for giving false weight or measure. 2§  
'07 ch.394, 8 May
- b **Mass.** Provisions of R.L. rel. to weights and measures to apply to devices registering price of article as well as weight. 2§  
'07 ch.535, 19 June

## COMMERCE AND INDUSTRY

1426

### Sealers. Public scales. Standards

- a **Cal.** Rep. P.C. §561-67 rel. to Sealer of Weights and Measures. 1§ '07 ch.434, 21 Mar.
- b **Del.** Amdg. '05 ch.60 §1, 2 which fixed compensation of certain county officers in lieu of fees: provisions as to sealer of weights and measures repealed. 1§ '07 ch.85, 25 Feb.
- c **Id.** Amdg. '05 p.364 §2: *Dairy Food and Oil* [State Horticulture] Inspector ex officio Sealer of Weights and Measures. 1§ '07 p.340, 13 Mar.
- d **Mass.** Amdg. R.L. ch.62 §20 rel. to seals of sealers of weights and measures: those of county treasurers and of city and town sealers to be approved by state deputy; penalty for impersonating sealer or unauthorized use of seal. 1§ '07 ch.283, 6 Apr.
- e **Mass.** Comr. of Weights and Measures, appointed by Gov. and Council; term 3 years; salary \$2000; 4 inspectors at \$1200; to relieve Treasurer and Receiver Gen. of duties as to weights and measures; local sealers to report to comr. annually in Nov. 6§ '07 ch.534, 19 June
- f **N. H.** Public weigher may be buyer or seller of merchandise if permitted by vote of town or city council. 1§ '07 ch.18, 20 Feb.
- g **N. M.** County comrs. to appoint inspector of weights and measures; duties; regulations; penalties; to apply to city and town inspectors. 8§ '07 ch.98, 21 Mar.
- h **N. D.** Sheriff to be sealer of weights and measures; annual inspection; standards; penalties. 9§ '07 ch.273, 23 Mar.
- i **S. D.** Gov. may appoint inspector to aid Bd. of Railroad Comrs. in inspecting public warehouses and scales; salary. 4§ '07 ch.210, 5 Mar.

1427

### Agricultural products

1429

#### Fruits

- a **N. Y.** Prohibiting sale of apples, pears and peaches grown elsewhere as state fruit; deceptive packing or packing such fruit in old cases without erasing former owner's name. Adds agric. law '93 ch.338 §187. 1§ '07 ch.684, 20 July
- b **Or.** Packages of green fruit to be marked with name and address of grower and packer; misrepresentation unlawful; penalty. 4§ '07 ch.11, 7 Feb.

1431

#### Hay

- a **Mon.** Method of measuring hay in stack to determine tonnage. 2§ '07 ch.91, 5 Mar.

1432

#### Hops

- a **Cal.** Allowing tare at rate of 2% of weight of hops. Adds. §995 to C.C. 1§ '07 ch.455, 21 Mar.

1433

#### Cotton

*See also 1546, Trades and occupations*

- a **S. C.** Exempting public warehouses and certain counties from law as to cotton weighers. Amds. C.C. §1555. 1§ '07 ch.275, 25 Feb.

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## 1441 Coal. Coke. Charcoal

*See also 1543, Coal and coke dealers*

- a **Mass.** Amdg. R.L. ch.57 §84: coal in quantities of less than 100 pounds shall be sold *in bags or baskets* [by measure] *which shall bear name of person who put up same and weight of coal therein.* Rep. §85 rel. to measures by which coal is to be sold. 2§ '07 ch.228, 20 Mar.
- b **Wash.** Msdr. to sell short weight ton of coal. 2§ '07 ch.100, 11 Mar.

## 1443 Ice

- a **N. H.** Dealers in ice and drivers of ice wagons to weigh ice at request of purchaser; penalties. 1§ '07 ch.20, 20 Feb.

## 1447 Milk cans and bottles

- a **Del.** Quart measure for milk to consist of 57.65 cubic inches. 1§ '07 ch.167, 4 Mar.
- b **N. J.** Standard measure for milk and cream; penalties. 4§ '07 ch.150, 10 May
- c **Pa.** Prohibiting sale of milk or cream except by standard liquid measure; penalty. 3§ '07 ch.56, 15 Apr.

## 1459 Wheat and corn products

- a **Ala.** Sale of corn meal: weight of sacks and barrels; quality and mode of manufacture to be stamped thereon; penalty. 4§ '07 p.31, 5 Mar.
- b **Vt.** Rep. S. §4303-14 rel. to the inspection of flour. 1§ '06 ch.135, 2 Nov.

**Wood. Timber** *see* 1898

## 1464 Adulterations and imitations. Branding. Inspection

*See also 956, Adulterations liable to affect public health*

- a **Ia.** Sec. of State to publish for gen. distribution 5000 copies of pure food law, 3000 of law rel. to stock food and seeds, 3000 of paint law, 5000 of pharmacy and drug law. 1§ '07 p.292, 5 Apr.
- b **Minn.** Prohibiting unauthorized use of certificate of weight of grain, hay or straw purporting to be issued under state authority. 2§ '07 ch.78, 28 Mar.
- c **N. Y.** Amdg. agric. law '93 ch.338 §7: keeping prohibited article with stock in place of business deemed having for sale. 1§ '07 ch.406, 4 June

## 1466 Adulteration. Inspection

### 1468 Binding twine

- a **Ia.** Binder twine to be labeled with number of feet to pound; penalty. 3§ '07 ch.190, 4 Apr.

## COMMERCE AND INDUSTRY

1472

### *Commercial feed for stock*

- a **Fla.** Amdg. '05 ch.81 §3, 13, 14 rel. to sale of commercial feeding stuffs: if damaged purchaser to be notified; adulterated liable to seizure; salary of inspector \$1500 [\$900]; annual appropriation \$3750 [\$2900]. 3§ '07 ch.66, 22 May
- b **Ind.** Inspection and sale of concentrated commercial feeding stuff; penalties. 12§ '07 ch.206, 9 Mar.
- c **La.** To prevent fraud in sale of agric. seeds and commercial feeding stuff. 19§ '07 ch.189, 6 Apr.
- d **Kan.** Manufacture and sale of concentrated feeding stuffs. 12§ '07 ch.407, 5 Mar.
- e **Minn.** To prevent deception in manufacture and sale of commercial feeding stuffs. 8§ '07 ch.383, 24 Apr.
- f **N. D.** To prevent adulteration of concentrated commercial feeding stuff. 12§ '07 ch.197, 8 Mar.
- g **Pa.** Prohibiting adulteration of commercial feeding stuff; to be enforced by Sec. of Agric.; penalties. 10§ '07 ch.211, 28 May
- h **S. D.** Prohibiting introduction of deleterious substances into stock food; packages to be labeled with ingredients; penalty. 3§ '07 ch.153, 6 Mar.
- i **Tenn.** To regulate sale and prevent adulteration of commercial feeding stuffs. 11§ '07 ch.465, 12 Apr.
- j **Tex.** Amdg. '05 ch.108 §1, 4-6, 11 rel. to adulteration of commercial feed stuffs. Adds §11a. 6§ '07 ch.131, 18 Apr.
- k **Wis.** Amdg. '01 ch.377 §1: concentrated commercial feeding stuffs *not* to include malt sprouts. 1§ '07 ch.104, 15 May
- n **Wis.** Animal stock food to be labeled with ingredients; penalty. Adds S.'98 §4438g subdiv.1. 1§ '07 ch.478, 9 July

1473

### *Cotton seed meal and hulls*

- a **Ala.** Prohibiting sale of adulterated cotton seed meal as fertilizer; bags to have tags showing guaranteed analysis; grades; analysis by State Chemist; penalty. 4§ '07 p.273, 2 Mar.

1474

### *Fertilizers*

- a **Ala.** Amdg. '03 p.187 §5 rel. to sale of commercial fertilizer: may fall 5% under guaranteed value; if under standard *but* 1/2 [amount] of note given therefor collectible; official analysis unnecessary; msdr. to sell poorer quality than guarantee. 1§ '07 p.250, 4 Mar.
- b **Ala.** Legis. committee of 5 to investigate guano and fertilizer trust. '07 p.400, 7 Mar.
- ba **Ala.** \$4000 per year to be appropriated from proceeds of fertilizer tag tax for use of dept. of agric. and industries in analyzing fertilizers, holding farmers institutes and executing laws. 3§ '07 p.751, 9 Aug.
- bc **Ala.** Amdg. '03 p.78 rel. to commercial fertilizers. 10§ '07 p.744, 14 Aug.

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- c Ark. Sale of commercial fertilizers: registration; inspection; analysis. 20§ '07 ch.398, 27 May
- d Del. Amdg. '81 ch.438 §5: fee of State Chemist for analysis of commercial fertilizer \$20 [\$30]. 1§ '07 ch.102, 14 Feb.
- e Fla. Amdg. G.S.'06 §1264 rel. to labeling commercial fertilizers: liable to seizure if below guaranteed quality. 1§ '07 ch.65, 23 May
- f Kan. Registration, inspection and taxation of commercial fertilizers. 10§ '07 ch.217, 9 Mar.
- g Me. Generally amdg. R.S.'03 ch.39 §33 and '05 ch.68 §7 rel. to prosecution of violations of act regulating commercial fertilizers. 2§ '07 ch.13, 13 Feb.
- h Mass. Information as to fertilizers in bulletins of Mass. Agric. Experiment Station to give dealers price per ton, value of ingredients and percentage of difference. 1§ '07 ch.289, 11 Apr.
- i N. Y. Amdg. agric. law '93 ch.338 §179 rel. to publication of analysis of commercial fertilizers *and other information* by Comr. of Agric. 1§ '07 ch.484, 11 June
- j N. C. Standard, grading and branding of commercial fertilizers. Rep. Revisal '05 §3945, 3948. 2§ '07 ch.670, 6 Mar.
- k Or. Sale of fertilizers: packages to have label stating composition; license; analysis at experiment station; penalties. 11§ '07 ch.10, 4 Feb.
- n Tenn. Amdg. '03 ch.417 §5 rel. to redemption of unused fertilizer tags. 1§ '07 ch.597, 15 Apr.

1476

## Gold and silver ware

- a Col. Msdr. to brand gold or silver as of greater fineness than it actually is. 5§ '07 ch.160, 15 Apr.
- b Mass. Prohibiting false marking of fineness of gold articles. 3§ '07 ch.460, 28 May
- c Minn. Prohibiting misbranding of articles of gold and silver; standards; penalty. 6§ '07 ch.467, 26 Apr.
- d N. C. Msdr. to misbrand gold or silver. 5§ '07 ch.331, 25 Feb.
- e R. I. Stamping of gold and silver articles; penalties. Rep. '96 ch.329. 6§ '07 ch.1454, 25 Apr.
- f U. Msdr. to misbrand gold and silverware. 1§ '07 ch.10, 28 Feb.
- g U. Defining sterling and coin silver; msdr. to misbrand articles with such terms. 4§ '07 ch.15, 1 Mar.

1478

## Grain and grain products

*See also 1515, Grain warehouses and inspection*

- a Minn. Amdg. R.L.'05 §5189 rel. to sale of fumigated barley and oats. 1§ '07 ch.213, 15 Apr.

1484

## Lime. Cement and other construction materials

- a Me. Amdg. R.S.'03 ch.40 §3 rel. to requirements in making lime casks. 1§ '07 ch.68, 18 Mar.



## COMMERCE AND INDUSTRY

1488

### Nails

- a **Vt.** Rep. S. §4315-19 rel. to inspection of iron and nails. 1§  
'06 ch.136, 6 Nov.

1490

### Oil. Paint. Lead

*See also 1493, Petroleum products*

- a **Cal.** Msdr. to sell adulterated paints and oils; adulteration defined. 3§  
'07 ch.467, 22 Mar.
- b **Ia.** Pure paint and oil: labeled with ingredients; standards; Food and Dairy Comr. to enforce; penalty. Rep. C. §2510a-e. 8§  
'07 ch.131, 1 Apr.
- c **Minn.** Msdr. to sell misbranded paint; Dairy and Food Comr. to enforce. 6§  
'07 ch.421, 25 Apr.
- d **N. Y.** Amdg. agric. law '93 ch.338 abstract of contents of art.15 and §203; penalty not be divided between Dept. of Agric. and agent making discovery of adulteration of turpentine etc.; no injunction during pendency of action. 2§  
'07 ch.226, 26 Apr.
- e **S. D.** Paint to be labeled with name of manufacturer, quantity and ingredients; penalty; Food and Dairy Comr. to enforce. 6§  
'07 ch.196, 6 Mar.

1492

### Insecticides

- a **Ill.** Sale of paris green. 3§  
'07 p.267, 22 Apr.
- b **Pa.** Prohibiting sale of adulterated paris green; Dept. of Agric. to enforce; penalties. 10§  
'07 ch.235, 29 May

1493

### Petroleum products

- a **Ark.** County judge to appoint inspector of oils and fluids. Rep. S.'04 §4064. 2§  
'07 ch.413, 28 May
- b **Col.** Prohibiting sale or use of uninspected oil; exceptions; method of testing gasoline. Adds §14 to '99 ch.121. 1§  
'07 ch.200, 8 Apr.
- c **Ct.** Standard for illuminating oil; penalty to sell below. 4§  
'07 ch.211, 11 July  
Amended: Tagliabue's open test cup method only one to be used.  
1§  
'07 ch.256, 31 July
- d **Del.** Amdg. '73 ch.411 §1, 2 rel. to test for coal oil and products. 2§  
'07 ch.161, 15 Mar.
- e **Mich.** Receptacles containing gasoline, benzine or naptha to be labeled; penalty. Rep. '99 ch.181. 4§  
'07 ch.178, 18 June
- f **Mon.** Standard of petroleum oil sold for illuminating and power purposes; inspection by county physician. 4§  
'07 ch.121, 6 Mar.
- g **Wash.** Creating State Oil Inspector; appointed by Gov. and Senate, term 4 years, salary \$2000; deputies; to examine and test illuminating oil and petroleum products; report to Gov. in Jan. Rep. '05 ch.161. 8§  
'07 ch.192, 15 Mar.

1496

### Seeds

- a **Ia.** To prevent fraud in sale of agric. seeds and commercial feeding stuff. 19§  
'07 ch.189, 6 Apr.

*Timber, see 1898*

1500

**Marks, labels etc.**

*See also 958, Adulteration (food)*

- a **Ala.** Msdr. to remove ginner's tag from cotton without authority. 2§ '07 p.590, 8 Aug.
- b **Cal.** Amdg. P.C. §3198 rel. to recording trade-marks: Sec. of State to issue certificate of filing; fee \$5. 1§ '07 ch.276, 18 Mar.
- c **Neb.** Fee of 50c every 5 years for recording brand or mark; re-record. Amds. by implication C.S.'05 §4258. 2§ '07 ch.84, 8 Apr.

1501

**Bottles, cans and other receptacles**

- a **Kan.** Registration of trade-marks used on receptacles; unlawful use of such receptacles. Rep. G.S.'01 §7850-51. 5§ '07 ch.424, 5 Mar.
- b **N. C.** Msdr. to use or destroy bottles and other receptacles for beverages impressed with registered mark; evidence; exceptions. 10§ '07 ch.901, 11 Mar.
- c **Or.** Prohibiting use by others than owners of milk, butter, ice cream receptacles and mineral water bottles, where brand is filed with Sec. of State; penalty. 3§ '07 ch.183, 25 Feb.

1502

*Milk cans*

- a **Me.** Prohibiting unauthorized use of milk cans, bottles etc. 5§ '07 ch.129, 26 Mar.

1503

**Union labels**

- a **Ct.** Amdg. G.S.'02 §4907, 4909-11 rel. to union labels. Rep. §4908. 6§ '07 ch.151, 21 June
- b **Nev.** Unlawful to make unauthorized use of label of labor union filed with Sec. of State; penalty. 3§ '07 ch.180, 29 Mar.

**Society badges and insignia, see 583(5)**

1505

**Associations. Exchanges. Speculation**

1506

**Boards of trade. Exchanges**

- a **N. Y.** Bd. of trade with membership of 5000 may provide for annual election by delegates; election may be held without state. Adds §130a to membership corporations law '95 ch.559. 1§ '07 ch.61, 20 Mar.

1507

**Speculation. Bucket shops**

*See also 883, Gambling*

- a **Ala.** Prohibiting dealing in futures; contracts void; penalties; witnesses compelled to testify under immunity. 6§ '07 p.448, 7 Mar.
- b **Ark.** Prohibiting bucket shops and dealing in futures on margin; evidence; witness to testify under immunity; telegraph and telephone companies not to furnish wire or transmit information for such purpose; penalties. 16§ '07 ch.162, 11 Apr.

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1507

- c **Cal.** Submitting amdt. to Const. 1879 art.4 §26: contracts rel. to stock speculation void. 1§. Vote Nov. 1908. '07 p.1360, 14 Mar.
- d **Ct.** Prohibiting keeping bucket shops. 4§ '07 ch.208, 16 July
- e **Fla.** Unlawful to deal in cotton futures. 11§ '07 ch.85, 3 June
- f **Ind.** Prohibiting keeping bucket shops; penalties; comn. to furnish on demand statement of transaction in detail. 4§ '07 ch.242, 11 Mar.
- g **Ia.** Prohibiting operation of bucket shop. 5§ '07 ch.175, 5 Apr.
- h **Me.** Prohibiting operation of bucket shop. 4§ '07 ch.152, 26 Mar.
- i **Mass.** Prohibiting keeping bucket shops; penalties. 4§ '07 ch.414, 15 May
- j **Mich.** Prohibiting bucket shops. 5§ '07 ch.336, 28 June
- k **Minn.** Council of municipality may prohibit bucket shops; 10% of electors may require council to call election on ordinance proposed by such electors prohibiting bucket shops, same to be in force if ratified by voters. 4§ '07 ch.174, 13 Apr.
- n **Mo.** Amdg. R.S.'99 §2221-26: definition; *employee guilty*; keeping *felony* [msdr.]; penalty. 7§ '07 p.236, 18 Mar.
- p **Mon.** To prohibit gambling and dealing in futures. Rep.'01 p.166. 22§ '07 ch.115, 6 Mar.
- q **Neb.** To suppress bucket shops and gambling in stocks, etc. 1§ '07 ch.174, 3 Apr.
- r **Pa.** Defining and prohibiting bucket shops. 7§ '07 ch.260, 1 June
- s **S. C.** Prohibiting keeping or patronizing of bucket shops; no person excused from testifying against himself but shall not be prosecuted for such offense; penalty \$100 to \$500, imprisonment in discretion of court. 10§ '07 ch.280, 19 Feb.
- t **Tex.** Defining and prohibiting bucket shops. 13§ '07 ch.86, 10 Apr.
- u **Vt.** "An act rel. to stock gambling." Adds to S. §5128; amds. §5130. 4§ '06 ch.189, 6 Nov.

1508

## Warehouses. Markets

*See also 1544, Commission merchants*

1510

### Warehouses

- a **Ala.** Cotton warehouses in municipalities to be licensed and to give \$5000 bond; penalty. 7§ '07 p.371, 7 Mar.
- b **Ill.** Generally amdg. '71 p.762 §3-6, 14 rel. to warehouses. 5§ '07 p.491, 24 May
- c **Minn.** Railroad and Warehouse Comn. may fix time for warehouse to be open; noncompliance msdr. 2§ '07 ch.73, 28 Mar.
- d **Minn.** Amdg. R.L.'05 §2091: warehousemen to report to Railroad and Warehouse Comn. by July 15; contents of report. 1§ '07 ch.112, 5 Apr.

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- e S. D. Gov. may appoint inspector to aid Bd. of Railroad Comrs. in inspecting public warehouses and scales; salary. 4§ '07 ch.210, 5 Mar.
- f S. D. Railroad Comrs. may enter public warehouse during business hours and examine books. 3§ '07 ch.209, 9 Mar.
- g Tenn. Farmer may contract with warehouseman for crops for 3 years and appoint him agent for sale of same. 4§ '07 ch.155, 21 Mar.
- h Wis. Amdg. '99 ch.251 §8 rel. to private warehouses: mingling in piles, rooms or bins, cans, canned goods, grains or seeds of same kind authorized. 1§ '07 ch.154, 4 June

1512

## *Payment of charges. Sale of goods*

- a Ari. Supplementing R.S.'01 t.72 rel. to warehouses: definition of warehouseman; sale of goods for unpaid charges; railroads may deliver to warehouseman undelivered goods; latter to sell same as for unpaid charges. 3§ '07 ch.47, 18 Mar

1513

## *Warehouse receipts*

- a Ct. Warehouse receipts. 61§ '07 ch.220, 17 July
- b Ill. An act in regard to warehouse receipts uniform with the law of other states. 60§ '07 p.477, 29 May
- c Ill. Amdg. '01 p.220 §1 rel. to receipts for warehouses of class A or class B: extends provisions of the section to cities where chief or deputy grain inspector is appointed. 1§ '07 p.489, 4 June
- d Ia. Issuance and transfer of warehouse receipts. Rep. C. §3129. 60§ '07 ch.160, 1 Apr.
- e Mass. Uniform law of warehouse receipts. 61§ '07 ch.582, 28 June
- f Minn. Required forms of warehouse receipts. Amds. R.L.'05 §2087. 2§ '07 ch.230, 18 Apr.
- g Minn. Amdg. R.L.'05 §2049: prescribed form of warehouse receipt for grain; penalty for nonuse. 1§ '07 ch.303, 22 Apr.
- h N. J. Warehouse receipts. 60§ '07 ch.133, 7 May
- i N. Y. Warehouse receipts. 61§ '07 ch.732, 25 July

1515

## *Grain warehouses and inspection*

- a Id. Creating State Grain Comm.: 3 members appointed by Gov., term 2 years, \$5 per diem; to establish standard grade and regulate weighing and inspecting grain; form of warehouse receipt; coöperation with Or. and Wash. Adds '99 p.77 §8-19. 12§ '07 p.529, 15 Mar.
- b Kan. Inspection, storing, weighing and grading of grain. Rep. G.S.'01 ch.456 and '03 ch.325, 326. 38§ '07 ch.222, 1 Mar.
- c Minn. Persons selling or storing grain in public local warehouse: standard bushel only to be used; pools prohibited; penalties. Rep. R.L.'05 §2098. 4§ '07 ch.252, 20 Apr.
- d N. D. Gov. to appoint nonpartizan bd. of 3 to investigate feasibility of state operating grain terminal elevator, grain inspection, handling, dockage and screening; report to Legis. of 1909; \$2000. 1§ '07 ch.129, 4 Mar.

## COMMERCE AND INDUSTRY

1515

- e N. D. Elevator company to return certificate of inspection and of weight of grain to local buyer. 5§ '07 ch.113, 12 Mar.
- f N. D. Amdg. R.C.'05 §2245 rel. to public grain warehouse license. 1§ '07 ch.112, 19 Mar.

1517

### *Inspection*

- a Ill. Amdg. '73 p.189 §3 rel. to grain inspection: assistant inspector changed to *deputy* inspector. 1§ '07 p.490, 4 June
- b Minn. Amdg. R.L.'05 §2069 rel. to appeal from decision of grain inspector. 1§ '07 ch.55, 21 Mar.
- c Mo. Amdg. R.S.'99 §7623-53, 7655-56, 7661, 7663-64, 7666, 7668-69, 7672, 7675-81 rel. to inspection and weighing of grain. 47§ '07 p.285, 12 Apr.
- d Neb. Memorializing Cong. to pass act to provide uniform standard of grading and inspecting grain in terminal markets of U. S., introduced by Senator McCumber. 1§ '07 ch.205, 3 Apr.
- e Wis. Requesting Cong. to fix uniform standard of grading and inspecting grain. '07 p.1279

1520

### **Tobacco warehouses**

- a N. C. Tobacco warehouse proprietor to report monthly to Comr. of Agric. amount sold; publication; penalty. 4§ '07 ch.97, 2 Feb.

1524

### *State warehouse*

- a Md. Declaring unconst. '06 ch.804 providing for rebuilding certain state tobacco warehouses under supervision of State Tobacco Warehouse Comm. Subject not within title.  
Christmas v. Warfield 66 A. 491 (1907)

1526

### **Stock yards**

- a Kan. Requesting Legis. of Mo. to unite with that of Kan. in passing uniform law governing stock yards. '07 ch.437, 8 Feb.

## 1532 Regulation and licensing of trades and occupations

- a Ala. Mun. corporations may tax exhibitions, trades, occupations, business and professions. 1§ '07 p.363, 6 Mar.
- b Nev. Locality not to require license of drummer of domestic firm. 2§ '07 ch.179, 29 Mar.
- c W. Va. Amdg. C.ch.32 rel. to licensing of various trades and occupations. 35§ '07 ch.82, 27 Feb.

1536

### **Accountants**

- a Col. Creating State Bd. of Accountancy; 3 members appointed by Gov. for 3 years at \$10 per diem; to examine and certify public accountants; reciprocity with other states. 17§ '07 ch.203, 27 Mar.

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- b **Ct.** Establishing State Bd. of Accountancy: 3 members, appointed by Gov. for 3 years; examination of certified public accountants; reciprocity with other states; penalty. 6§ '07 ch.202, 11 July
- c **Ill.** Amdg. '03 p.281 §1 rel. to examination of certified public accountants: preliminary educational requirements to be waived in 1908 and 1909. 1§ '07 p.472, 25 May
- d **U.** Creating State Bd. of Accountancy: 3 members appointed by Gov.; term 4 years; subjects of examination; certificate to be renewed annually; penalty for unauthorized use of C. P. A. 4§ '07 ch.86, 14 Mar.

1538

## Auctions and auctioneers

- a **Ark.** City of 1st class may regulate auction sales. 1§ '07 ch.302, 13 May
- b **Mich.** Amdg. C.L.'97 §9517 rel. to auctioneer's memorandum as memorandum of contract of sale. 1§ '07 ch.237, 27 June

1540

## Barbers

- a **Ct.** Amdg. '03 ch.130 §2 rel. to inspection of barber shop by Examining Bd. *at least annually*: report to contain statement of shops examined. 2§ '07 ch.76, 14 May
- b **Mo.** Amdg. R.S.'99 §5042, 5045, 5047: barber schools regulated: barber's license may be revoked for overcharge. 3§ '07 p.79, 19 Mar.
- c **N. H.** Local bds. of health to enforce certain rules for sanitation of barber shops; penalty. 4§ '07 ch.142, 5 Apr.
- d **Or.** Amdg. '99 p.237 §4 rel. to licensing barbers: 3 years' experience; inspection and regulation of barber schools and colleges. 1§ '07 ch.157, 25 Feb.
- e **Tex.** Creating Bd. of Barber Examiners; 3 members appointed by Gov. for 2 years, \$3 per diem; to examine and license barbers in towns of over 1000; fee \$2; penalty. 14§ '07 ch.141, 18 Apr.
- f **U.** Amdg. '03 ch.137 §1, 5, 6, 9, 10, 11, 13, 14 rel. to regulating practice of barbering. 8§ '07 ch.154, 25 Mar.
- g **Wash.** Declaring unconst. '01 ch.172 §10 which requires 2 years apprenticeship under practising barber for applicant for license. Unreasonable and arbitrary. State v. Walker 92 P. 775 (1907)
- h **Wis.** Amdg. '03 ch.191 §7, 8, 11, 13 to be S.'98 §1636 subdiv. 24, 25, 28, 30 rel. to practising barbering: experience of candidate for license; apprentice; sanitation of shop; penalties. 6§ '07 ch.54, 23 Apr.

**Bill posters, see** 1082, Signs and advertisements

1544

## Commission merchants

- a **Tex.** Comn. merchant to give bond in \$2000 for performance of contracts; payable to county judge. 5§ '07 ch.38, 23 Mar.
- b **Wash.** Comn. merchants to give bond for \$3000 and obtain license from Comr. of Horticulture; books; payment for produce in 10 days; not to enter combination; penalty. Rep. '95 ch.148. 13§ '07 ch.139, 12 Mar.

## COMMERCE AND INDUSTRY

1546

### Cotton

*See also* 1433, Weights and measures

- a **Ala.** Providing for Bureau of Agric. Statistics in Dept. of Agric. and Industries; director appointed by Gov. for 4 years, no compensation; to publish weekly statistics of cotton ginned in state; msdr. for operator of ginnery to fail to furnish statistics. 5§ '07 p.278, 5 Mar.
- b **Ala.** Ginners for hire to register cotton received in name of owner; to mark bales so as to ascertain owner; penalty. 4§  
'07 p.650, 14 Aug.
- c **Tex.** Creating Bureau of Cotton Statistics in Dept. of Agric.; ginners required to report monthly number of bales ginned; method of making reports public; penalties. 9§  
'07 ch.167, 23 Apr.

### Dentistry, *see* 948

### Embalming and undertaking, *see* 1051

### Engineering, *see* 1130, Engineers

1559

### Fortune telling etc.

- a **Fla.** Gypsy band to pay license tax of \$100 in each county or municipality where encamped. 3§  
'07 ch.115

1560

### Hawkers and peddlers

- a **Ia.** Declaring unconst. '04 ch.48 imposing county tax on peddlers and transient merchants. Latter not expressed in title.  
State *v.* Bristow 109 N. W. 199 (1906)
- b **Ia.** Amdg. '04 ch.48 rel. to licensing peddlers: title extended to include transient merchants; peddlers licenses \$25 *on foot*, \$50 *for 1 horse conveyance*, \$75 *for 2 horse conveyance* [\$5-\$100 as determined by Bd. of Supervisors]. 1§  
'07 ch.59, 5 Apr.
- c **Mass.** Declaring unconst. R.L. ch.65 §19 so far as it discriminates as to peddlers licenses in favor of residents paying taxes on stock, and §21, which discriminates in favor of persons over 70 years old. Denies equal protection of laws.  
Commonwealth *v.* Hana 81 N. E. 149 (1907)
- d **Mass.** Amdg. R.L. ch.65 §19 rel. to licensing peddlers: omits discrimination in favor of residents paying taxes on stock. Rep. §21. 2§  
'07 ch.571, 28 June
- e **Mich.** Amdg. C.L. '97 §5330 rel. to peddler's license: merchant having regularly established business for 1 year in county excepted. 1§  
'07 ch.225, 27 June
- f **Minn.** Amdg. R.L. '05 §1905: veterans of Civil and Spanish American Wars to get peddler's license free. 1§  
'07 ch.393, 24 Apr.
- g **N. H.** Amdg. '97 ch.76 §9 which exempts veterans of Civil and Spanish Wars from paying peddler's license: unmarried widow of veteran included. 1§  
'07 ch.45, 6 Mar.
- h **N. H.** Amdg. '97 ch.76 §1 rel. to licensing peddlers: vendors of foreign fruits included. 2§  
'07 ch.114, 4 Apr.

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- i N. D. Licensing transient merchants. 7§ '07 ch.257, 8 Mar.
- j S. D. Amdg. '03 ch.190 §5 rel. to peddlers licenses. 1§ '07 ch.201
- k U. License tax on itinerant vendors. 12§ '07 ch.106, 14 Mar.
- n Wis. Amdg. '05 ch.490 §4, 14, 15 rel. to hawkers licenses. 3§ '07 ch.634, 13 July
- p Wy. Defining and licensing itinerant vendors. 8§ '07 ch.46, 16 Feb

1562

## Horseshoeing

- a N. Y. Rep. labor law '97 ch.415 §180-84 rel. to examination and registration of horseshoers. 1§ '07 ch.83, 27 Mar.

1563

## Hotels

*See also 1108, Buildings*

- a N. J. Applicant for license to keep inn need not reside in municipality for 1 year except in cities of 1st class. 2§ '07 ch.255, 18 June

1568

## Junk and secondhand dealers

*See also 1727, Pawnbroking*

- a Del. Msdr. for secondhand dealer or pawnbroker to accept wearing apparel or household goods from intoxicated person. 1§ '07 ch.163, 14 Feb.
- b Minn. Prohibiting junk or secondhand dealer or pawnbroker from receiving goods from minor. 2§ '07 ch.228, 18 Apr.
- c N. H. Amdg. P.S. ch.124 §1, 4, 5 rel. to junk dealers: license for storing articles as bailee; city may limit location of junk shops. Adds §6. 4§ '07 ch.73, 22 Mar.

**Law, see 591**

**Medicine, see 944**

1575

## Nurses

*See also 2171*

- a Col. Amdg. '05 ch.136 §3, 4, 8 rel. to registration of nurses. 3§ '07 ch.223, 8 Apr.
- b Ct. Amdg. '05 ch.120 §4, 5, 8 rel. to examination of nurses: bd. to decide and notify applicant within 3 months; appeal to bd. representing medical societies; annual report to Gov. 4§ '07 ch.198, 11 July
- c Ga. Creating Bd. of Examiners of Nurses: 5 members, appointed by Gov., term 3 years; examination and registration; unauthorized use of R. N. prohibited. 12§ '07 p.117, 22 Aug.
- d Ill. Examination and registration of nurses. 12§ '07 p.383, 2 May
- e Ind. Amdg. '05 ch.46 §5 rel. to qualifications of nurses: *high* [common] school education. 1§ '07 ch.18, 13 Feb.
- f Ia. Examination and regulation of graduate nurses. 8§ '07 ch.139, 12 Mar.
- g Minn. Registration and licensing of nurses: Bd. of Examiners of 5; qualification and examination; nurses registered in other state may be licensed without examination. 16§ '07 ch.153, 12 Apr.



## COMMERCE AND INDUSTRY

1575

- h N. H.** Registration of nurses; bd. of examiners; exemption from examination; penalty for unauthorized use of title registered nurse. 5§  
'07 ch.50, 7 Mar.
- i N. C.** Amdg. '03 ch.359 §5 rel. to registration of trained nurses: applicants to be 21, and have high school education and be graduates of 3 year training course in hospital. 1§  
'07 ch.542, 4 Mar.
- j W. Va.** State Bd. of Examiners for Examination and Registration of Nurses: 5 members appointed by Gov., term 3 years; \$4 per diem; examination; penalties. 8§  
'07 (ex. sess.) ch.11, 5 Mar.

### Pawnbroking, *see* 1727

### Pharmacy, *see* 949

1581

### Real estate dealers

- a Ky.** Declaring unconst. '06 ch.22 art.12 subdiv.4 §1 imposing occupation tax on real estate agents varying according to class of city and exempting those without. Nonuniform.  
Hager *v.* Walker 107 S. W. 254 (1908)

1582

### Taxidermists

- a Mon.** Amdg. '03 ch.11 §15 rel. to taxidermist's license: annual fees of \$25 abolished. 2§  
'07 ch.162, 7 Mar.

1588

### Veterinary practice

- a Cal.** Creating Bd. of Examiners in Veterinary Medicine; 5 members appointed by Gov. for 4 years; qualifications of applicants for license; examinations; reciprocity with other states; appeal from bd. to Gov.; exceptions; penalty. 12§  
'07 ch.501, 23 Mar.
- b Cal.** Amdg. '99 ch.96 §1-2 rel. to State Veterinarian: salary \$3000 [\$2000]; necessary [\$500 for] expenses; salary of assistant \$1800 [\$1200]. 2§  
'07 ch.506, 23 Mar.
- c Kan.** Examination and registration of veterinarians by State Bd.; qualifications. 16§  
'07 ch.388, 28 Feb.
- d Me.** Amdg. '05 ch.17 §3-5, 9: any one may practise veterinary surgery, but registered persons only may advertise as such or use title of V. S.; penalty \$20. 4§  
'07 ch.89, 20 Mar.
- e Mass.** Amdg. '03 ch.249 §§8, 9 rel. to registration in veterinary medicine: farmers may aid neighbors. 2§  
'07 ch.314, 18 Apr.
- f Mich.** Reorganizing State Veterinary Bd.; unlawful to practise veterinary medicine without license. 14§  
'07 ch.244, 27 June
- g Minn.** Creating State Veterinary Examining Bd.: 5 members appointed by Gov. for 5 years; licenses; fees; penalties. 6§  
'07 ch.419, 25 Apr.
- h U.** Creating State Bd. of Veterinary Medical Examiners: 3 members, appointed by Gov., term 3 years, \$3 per diem and expenses; applicants' qualifications; examination; exceptions. 15§  
'07 ch.122, 23 Mar.

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- i **Wash.** Creating State Bd of Veterinary Medical Examiners to consist of State Veterinarian and appointees of Gov.; terms of latter 3 years, per diem of \$5; to examine and license veterinarians; regulations; penalty. 18§ '07 ch.124, 11 Mar.
- j **Wis.** Creating Bd. of Veterinary Examiners: 3 members appointed by Gov.; term 2 years; examination for license; annual registration. Adds S.'98 §1492e subdiv.1-19; rep. §1492f. 21§ '07 ch.334, 21 June

1590

## Miscellaneous trade regulations

1592

### Advertisements

*See also 1082, Signs and advertisements*

- a **Mass.** Prohibiting false printed representations as to commodity offered for sale; penalty. 1§ '07 ch.383, 6 May

1593

### Discrimination

*See also 589, Combinations and monopolies; 1204, Transportation and communication; 1379, Express; 1420, Telegraph and telephone; 1742, Insurance*

- a **Ark.** Prohibiting commercial discrimination between localities; penalties. 8§ '07 ch.298, 10 May
- b **Kan.** Contracts not to sell or deal in goods of any other person forbidden; penalty, 1st offense \$100; 2d offense \$500 or 1 year. 1§ '07 ch.139, 28 Feb.
- c **Kan.** News agencies to furnish service to all on equal terms; telegraph companies to refuse business of agencies violating the act. 6§ '07 ch.254, 9 Mar.
- d **Mo.** Prohibiting unfair discrimination between localities as to price of commodity; penalty; revocation of permit; ouster. 8§ '07 p.234, 18 Mar.
- e **Neb.** Msdr. to discriminate between localities in price of commodity for purpose of destroying competition; \$500-\$5000 or 1 year or both; forfeiture of corporate franchise. 8§ '07 ch.157, 3 Apr.
- f **S. D.** Prohibiting discrimination in price of commodity in different sections of state; penalties. 4§ '07 ch.131, 5 Mar.
- g **Wash.** Overcharge where price or rate is required by law to be published to be refunded; claim to bear interest at 8%. 1§ '07 ch.187, 15 Mar.

1596

### Legal holidays. Public holidays

*See also 2271, Schools*

- a **Cal.** Rep. P.C. §11 rel. to holidays. 1§ '07 ch.309, 18 Mar.
- b **Col.** Establishing 1st of Aug. public holiday; to be known as Colorado day in commemoration of admission of state. 2§ '07 ch.189, 12 Mar.
- c **Col.** Establishing 12th of Oct. public holiday; to be called Columbus day. 1§ '07 ch.190, 1 Apr.
- d **Ind.** Designating legal holidays; Saturday half holiday from 1st Saturday in June to last in Oct. for public offices in counties of 100,000. 2§ '07 ch.294, 16 Mar.

# COMMERCE AND INDUSTRY

1596

- e **Me.** Amdg. R.S.'03 ch.15 §88, ch.34 §9, ch.79 §52, ch.83 §82: Fast day abolished; Patriot's day Apr. 19 created. 4§ '07 ch.48, 11 Mar.
- f **Mass.** When 1st Monday of month falls on legal holiday writs and other processes in Supreme Judicial and Superior Courts may be entered following day. 1§ '07 ch.176, 8 Mar.
- g **Mass.** An act to be performed on Sunday or legal holiday may be performed on next secular day unless contract provides otherwise. 1§ '07 ch.204, 14 Mar.
- h **S. D.** Amdg. C.C. §2458-59 rel. to legal holidays: Lincoln's birthday and Labor day added; no public business on such days; if 12th Feb. [1st Jan.] be Sunday, Monday following to be legal holiday. 2§ '07 ch.181, 12 Feb.

1598

## *Arbor and Bird day*

- a **Mon.** Amdg. P.C. §1990, 3280: Arbor day 3d [2d] Tuesday in April [May]. 3§ '07 ch.11, 13 Feb.

1602

## *Confederate Memorial day*

- a **Ark.** Prohibiting conducting of place of amusement for gain within half mile of National or Confederate cemetery on Decoration day; penalty. 2§ '07 ch.159, 10 Apr.

1604

## *Election day*

- a **N. C.** Amdg. Revisal '05 §2838: election day legal holiday. 1§ '07 ch.996, 11 Mar.

1606

## *Good Friday*

- a **Minn.** Amdg. R.L.'05 §5514 §6: Good Friday made legal holiday. 1§ '07 ch.254, 19 Apr.
- b **N. J.** Good Friday to be public holiday. 1§ '07 ch.244, 12 June

1614

## *Lee's birthday*

- a **Ark.** Declaring Jan. 19, birthday of Gen. Robert E. Lee, legal holiday. 2§ '07 ch.160, 10 Apr.

1618

## *Lincoln's birthday*

- a **Ind.** Amdg. '05 ch.118 §1 rel. to legal holidays: Lincoln's birthday included. 1§ '07 ch.229, 9 Mar.
- b **Kan.** Declaring Lincoln's birthday a legal holiday. 1§ '07 ch.245, 9 Mar.

1620

## *Memorial day*

- a **Ark.** Prohibiting conducting of place of amusement for gain within half mile of National or Confederate Cemetery on Decoration day; penalty. 2§ '07 ch.159, 10 Apr.
- b **Ia.** Sports on Memorial day prohibited till 3 p. m. 1§ '07 ch.186, 15 Mar.
- c **Kan.** Cities and towns may appropriate money for observance of Memorial day. 1§ '07 ch.110, 2 Mar.
- d **Kan.** Msdr. to hold circus, ball game, horse race or other sporting entertainment on Memorial day. 3§ '07 ch.194, 9 Mar.
- e **Minn.** Prohibiting games within ½ mile of memorial services and closing saloons from 10 a. m. to 3 p. m. Memorial day. 2§ '07 ch.25, 1 Mar.

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- f Pa.** Counties and boroughs may appropriate money to G. A. R. posts for expenses of Memorial day; cities excepted. 2§  
'07 ch.18, 21 Mar.
- g S. D.** Municipalities, counties and school bds. may appropriate money for observance of Memorial day. 1§ '07 ch.187, 7 Mar.
- h Wis.** Amdg. '99 ch.124 §1 rel. to town, city or village appropriating money for observance of Memorial day. 1§ '07 ch.458, 29 June

1624

### *Saturdays*

- a Cal.** Amdg. C.C.P. §10: Saturday after 12 m. legal holiday in public offices. 1§ '07 ch.287, 18 Mar.
- b Cal.** Amdg. C.C. §7: Saturday after 12 m. legal holiday in public offices. 1§ '07 ch.293, 18 Mar.

1628

### **Trading stamps**

- a Wash.** Declaring unconst. '05 ch.179 which prohibits issuance of trading stamps. Deprives of property without due process of law.  
Leonard v. Bassindale 89 P. 879 (1907)
- b Wash.** Trading stamps to be redeemable in cash; person distributing liable; penalty. 4§ '07 ch.253, 20 Mar.

1630

## **Encouragement of industries**

- a Mass.** Comn. on Commerce and Industry; 5 members, appointed by Gov. and Council; to investigate transportation facilities and industries, and effect of relations of capital and labor and legislation on industries; to report as to legis. or executive action necessary for development of same at next session; \$15,000. '07 r.104, 10 June

1633

### **Bonus. Exemptions. Bounty**

*See also* 810, Exemptions from general property tax; 1282, Railroads; 1350, Street railways

- a N. M.** Certain factories, water power plants, pipe lines and irrigation plants to be exempt from taxation for 6 years from completion. 2§ '07 ch.12, 6 Mar.

1635

### *Beet sugar and sugar beet*

- a Ia.** Amdg. C. §1304a exempting property of beet sugar factories from taxation till 1910: extended to 1917. 1§ '07 ch.55, 27 Mar.
- b Minn.** Amdg. R.L.'05 §2012 rel. to public schedule of rates of common carriers: provision as to sugar beets omitted. 1§  
'07 ch.377, 25 Apr.
- c Wy.** Requesting Cong. not to lower tariff on sugar imported from Philippines as detrimental to sugar beet industry.  
'07 p.196, 15 Feb.

1662

### **Expositions**

*See also* 1835, Fairs

- a Cal.** Submitting amdt. to Const. 1879 art.12 §3: provisions as to liability of stockholders not to apply to those of international exposition companies in state. 1§. Vote Nov. 1908. '07 p.1365, 14 Mar.

## COMMERCE AND INDUSTRY

1662

- b **Pa.** Establishing exhibit in museum of State Library to illustrate development of oil and oil products in Pa.; \$1000. 1§  
'07 ch.472, 13 June
- c **Wy.** Gov. to appoint Custodian of Industrial Exhibit of state; term 2 years; to collect and exhibit in Cheyenne specimens of industrial welfare of state. 3§  
'07 ch.76, 20 Feb.

### *Alaska-Yukon-Pacific Exposition*

- d **Cal.** Gov. to be Alaska-Yukon-Pacific Exposition Comr. to supervise Cal. exhibit; \$100,000. 6§  
'07 ch.154, 8 Mar.
- e **Neb.** Indorsing Alaska-Yukon-Pacific Exposition, and recommending participation of U. S. govt. 1§  
'07 ch.204, 29 Mar.
- f **Nev.** Indorsing Alaska-Yukon-Pacific Exposition and recommending participation of U. S. govt. 1§  
'07 p.442, 26 Feb.
- g **Or.** Creating Alaska-Yukon-Pacific Exposition Comn.; 5 members appointed by Gov.; classification of exhibits; \$100,000. 10§  
'07 ch.180, 25 Feb.
- h **U.** Creating Alaska-Yukon-Pacific Exposition Comn. to consist of Gov. and 4 members appointed by him and Senate; to represent State at Exposition; \$2000. 7§  
'07 ch.124, 23 Mar.
- i **Wash.** Sale of certain shore lands and creation of Alaska-Yukon-Pacific Exposition fund. 6§  
'07 ch.3, 4 Feb.  
Disposition of such fund. '07 ch.4, 4 Feb.
- j **Wash.** Creating Alaska-Yukon-Pacific Exposition Comn.; 7 members appointed by Gov.; coöperation of state depts.; \$400,000. 8§  
'07 ch.5, 4 Feb.
- k **Wash.** Appropriating \$600,000 from Alaska-Yukon-Pacific Exposition fund for Regents of University to erect buildings; latter may be turned over for use of exposition. 3§  
'07 ch.6, 4 Feb.
- n **Wash.** Authorizing county comrs. to make exhibits at Alaska-Yukon-Pacific Exposition. 2§  
'07 ch.172, 15 Mar.

### *Jamestown Exposition*

- p **Ala.** Gov. and 4 persons appointed by him to constitute comn. for Jamestown Exposition; \$25,000. 5§  
'07 p.319, 4 Mar.
- q **Ct.** Appropriating \$30,000 for Jamestown Exposition; and \$15,000 for expenses of opening day. 2§  
'07 special acts ch.15, 8 Mar.
- r **Del.** Creating Jamestown Exposition Comn. of 9; \$10,000. 4§  
'07 ch.33, 21 Jan.
- s **Mass.** \$20,000 additional for Jamestown Exposition. 1§  
'07 ch.10, 21 Jan.
- t **Mass.** Appropriating \$10,000 additional for Jamestown exposition. '07 r.46, 13 Apr.
- u **Mich.** Creating Bd. of Jamestown Tercentennial Exposition Managers: 5 members appointed by Gov.; \$3 per day and expenses; quarterly report to Gov.; \$20,000. 9§  
'07 ch.12, 6 Mar.
- v **Mich.** Additional \$5000 for Jamestown Exposition exhibit. 3§  
'07 ch.77, 8 May

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- w Mo.** Gov. to appoint 3 comrs. to erect building and exhibit resources of state at Jamestown Exposition; \$45,000. 7§  
'07 p.61, 16 Mar.
- x N. H.** \$10,000 for Jamestown Exposition. 3§ '07 ch.3, 19 Feb.
- y N. C.** Rel. to Jamestown Exposition: \$20,000 additional; final disposition of property; audit; reimbursement of comrs. 6§  
'07 p.1422, 29 Jan.
- §4 amended. 1§ '07 p.1432, 11 Mar.
- z N. C.** Exhibit by negroes at Jamestown Exposition; \$5000. 2§  
'07 p.1425, 16 Feb.
- za R. I.** Additional \$30,000 for Jamestown Exposition; authorizes loan of commission issued to comrs. appointed to investigate burning of "Gaspee" and portrait of George Washington by Stuart. 3§  
'07 ch.1421, 15 Feb.
- zb Tenn.** Comn. of 9 appointed by Gov. to provide Tenn. exhibit at Jamestown Exposition; Gov. chairman; \$20,500. 2§  
'07 ch.107, 12 Feb.
- zc U.** Creating Jamestown Tercentennial Exposition Comn. to consist of Gov. and 4 members appointed by him and Senate; to represent state at exposition. 6§  
'07 ch.125, 23 Mar.
- zd Vt.** Comn. of 5 to be appointed by Gov. for Jamestown Exposition; to prepare state exhibit; \$10,000. 6§  
'06 ch.219, 19 Dec.
- ze W. Va.** Confirming appointment of Jamestown Exposition Comn. by Gov.; duties; to erect building; \$55,000. 8§  
'07 ch.61, 9 Feb.

1675

## Resources and attractions. Immigration

*See also 2114, Emigrant agents*

- a Ala.** Creating Immigration Bd. to consist of Gov., Comr. of Agric. and Industries and Immigration Comr.; Gov. to appoint Immigration Comr. for 4 years, salary \$2400; to induce immigration by publication of resources; \$5000 annual appropriation. 13§  
'07 p.313, 4 Mar.
- b Col.** County may expend \$10,000 annually to advertise to encourage immigration and increase trade in products of state. 1§  
'07 ch.146, 9 Apr.
- c Del.** Constituting State Bd. of Agric. Bd. of Immigration Comrs.; Gov. member *ex officio*; to encourage immigration from foreign countries; report to Gov. annually; \$2500. 7§ '07 ch.116, 4 Apr.
- d Minn.** Creating State Bd. of Immigration to consist of Gov., Auditor of State, Sec. of State and 2 others appointed by *ex officio* members for 2 years; to appoint Comr. of Immigration; to advertise resources of state, encourage immigration and cooperate with Land Comr. in disposal of public lands. 6§  
'07 ch.267, 20 Apr.
- e Nev.** Creating State Industrial and Publicity Comn.: 3 members appointed by Gov.; term 4 years; chairman to receive salary of \$2500; advisory committee to consist of 2 persons from each county; to advertise resources and attractions of state; semiannual report. 11§  
'07 ch.185, 29 Mar.

1675

- f **Nev.** Declaring unconst. '07 ch.185 §3 so far as it provides for payment of expenses of State Industrial and Publicity Comrs. Appropriations must be specific. *State v. Eggers* 91 P. 819 (1907)
- g **N. Y.** Establishing industrial comm. for city of Niagara Falls. Adds '04 ch.300 §570-76. 7§ '07 ch.421, 5 June
- h **N. C.** Dept. of Agric., Immigration and Statistics to try to induce immigration; information to be distributed; agents abroad; to be sought from certain countries only. 5§ '07 ch.924, 11 Mar.
- i **S. D.** Creating State Bd. of Agric.; 5 members, appointed by Gov. for 2 years; \$3 per diem; Sec. appointed by Gov. for 2 years, salary \$1500, ex officio Comr. of Immigration; duties; annual report to Gov. Rep. P.C. §158-70. 21§ '07 ch.76, 9 Mar.
- j **Tenn.** Creating Comr. of Immigration; term 2 years; and comm. of 10 appointed by Gov.; Comr. of Agric. to perform duties of dept. without additional compensation; annual report; methods of inducing immigration. 9§ '07 ch.469, 15 Apr.
- k **Wis.** Sec. of State, Comr. of Labor and Industrial Statistics, and chief clerk of State Land Office to constitute State Bd. of Immigration; to gather and disseminate information as to resources of state to encourage immigration. Adds S.'98 §237h-n. 7§ '07 ch.407, 25 June
- n **Wy.** Creating Dept. of Immigration to consist of Comr. of Public Lands, State Geologist and State Engineer; to advertise resources of state. 2§ '07 ch.75, 20 Feb.

1679

## Banking

*Banks of deposit or two or more kinds of banking institutions. See also 500, Corporations; 843, Taxation of banking institutions*

- a **Ark.** Joint legis. committee of 5 to draft banking law. 1§ '07 p.1266, 2 Feb.
- b **Cal.** Amdg. '03 ch.266 §8, 11, 13, 15, 18 rel. to Bank Comrs. and banks. Adds §10½, 19a; rep. C.C. §580. 8§ '07 ch.302, 18 Mar.
- c **Col.** Regulating banking and providing for appointment of State Bank Comr. 39§ '07 ch.111, 13 Apr.
- d **Ct.** Private banker to deposit bond or securities for \$10,000 with State Treasurer; corp. or person engaged in safe keeping or forwarding money to report to Bank Comrs. and file such bond. Amds. '05 ch.209 §1. 2§ '07 ch.86, 22 May
- e **Ill.** Amdg. '87 p.89 §4, 5, 10, 11 rel. to state banks. 5§. Vote Nov. 1908. '07 p.52, 3 June
- f **Ind.** Private banking. 15§ '07 ch.113, 8 Mar.
- g **Ia.** Purposes for which banks may incur indebtedness. Rep. C. §1855. 3§ '07 ch.90, 3 Apr.
- h **Kan.** Amdg. G.S.'01 §442 rel. to banks: firm or corp. which receives money on deposit, or receives money for which it issues check or other evidence of indebtedness for which it charges a fee, to be considered as doing a banking business. 1§ '07 ch.64, 9 Mar.

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- i **Mass.** Taking of deposits for safe keeping or transmission by company which sells steamship tickets; bond; supervision by Bank Comr.; steamship and express companies excepted. Amds. '06 ch.408 §1; '05 ch.428 §5. 7§ '07 ch.377, 6 May
- j **Minn.** Defining "bank" and "savings bank" and limiting right to use as business name; penalty. 4§ '07 ch.111, 5 Apr.
- k **Mo.** Banking law. Rep. R.S.'99 §1274-1311. 104§ '07 p.124, 18 Mar.
- n **Mon.** Duties of Auditor rel. to banks transferred to State Examiner under title of State Bank Examiner; required reserves; loans limited; liability of stockholders; taxation; penalty. Rep. P.C. §4061. 8§ '07 ch.190, 9 Mar.
- p **Nev.** Gov., Sec. of State and State Treasurer to constitute Bd. of Bank Comrs.; to appoint Bank Examiner for 4 years, salary \$2750; inspection; bank to be licensed; examiner to assume control of insolvent bank; use of word "bank" prohibited unless authorized. 14§ '07 ch.119, 26 Mar.
- q **Nev.** Banks: incorp.; bds.; real estate; not to be surety for borrower nor borrow deposits; insolvency. 15§ '07 ch.166, 29 Mar.
- r **N. Y.** Persons engaged in receiving deposits for international transportation to file bond of \$15,000 with Comptroller for faithful transmission of such deposits; penalty. 6§ '07 ch.185, 22 Apr.
- s **Or.** Gov., Sec. of State and State Treasurer to constitute Bd. of Bank Examiners, to appoint Bank Examiner for 4 years, salary \$3000; regulations for establishing and conducting banking business; penalties. 44§ '07 ch.138, 25 Feb.
- t **Pa.** Msdr. to make false statements or entries in books or reports of bank, trust company or building and loan association; penalty. 1§ '07 ch.141, 8 May
- u **Pa.** Banking institutions to give receipts for deposits; deposits and moneys borrowed to be set out as liabilities in report; penalty. 6§ '07 ch.331, 12 June
- v **R. I.** Comn. of 5, appointed by Gov. and Senate, to recommend changes in banking laws; report to Legis. 1908 session; \$1000. '07 r.43, 23 Apr.
- w **S. D.** Amdg. '03 ch.79 §8,9 rel. to state banks: at least 3 directors; public examiners to give certificate of compliance with laws before such bank can engage in business. 1§ '07 ch.73, 7 Mar.
- x **Vt.** Rep. S.ch.173 rel. to bank of circulation, discount and deposit. 1§ '06 ch.127, 7 Nov.
- y **Wash.** Formation of banking corp. and regulation of banking business; Gov. to appoint State Examiner, term 4 years, salary \$3600. 53§ '07 ch.225, 16 Mar.
- z **W. Va.** Amdg. C.ch.54 §78-81 rel. to banking. 4§ '07 ch.79, 24 Feb.

1680

## Inspection. Reports. Departments

- a **Fla.** Inspection of banks; reports. 8§ '07 ch.92, 29 May
- b **Ga.** Creating bank bureau in Treasury Dept.; Treasurer to be State Bank Examiner; reports of banks; insolvency; annual report to Gov.; examinations; penalties. 34§ '07 p.85, 22 Aug.



## BANKING

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- c **Ind.** Auditor of State with approval of Gov. to appoint 4 Bank Examiners; term 2 years; salary \$2500; examinations; fees to be paid by banks. 6§ '07 ch.182, 9 Mar.
- d **Ia.** Amdg. C. §1873 rel. to publication of report of bank: in local daily, *semiweekly*, *triweekly* or weekly newspaper. 1§ '07 ch.92, 12 Mar.
- e **Kan.** Amdg. G.S.'01 §427: additional deputies for Bank Comr.; comr. and deputies must have had 3 years banking experience. §2 '07 ch.65, 12 Mar.
- f **Mich.** Amdg. C.L.'97 §6104: directors of bank to appoint committee to examine condition of bank every 6 months; copy of report of committee to be sent to Banking Dept. 1§ '07 ch.65, 25 Apr.
- g **Mo.** Amdg. R.S.'99 §1309: 8 [6] bank examiners. 1§ '07 p.123
- h **N. J.** Firms engaged in transmitting money to foreign countries to obtain certificate of authority from Comr. of Banking; on condition that such money be forwarded in 5 days; bond; penalty. 7§ '07 ch.106, 25 Apr.
- i **N. Y.** Amdg. banking law '92 ch.689 §20, 23 subdiv. 5: savings banks and safe deposit company to make report to Banking Dept. before *Feb. 1* [Jan. 20] and *Aug. 1* [July 1]; report of Supt. of Banks rel. to corporations other than banks to be made to Legis. before *Mar. 15* [Mar. 1]. 2§ '07 ch.408, 4 June
- j **Pa.** Comr. of Banking may appoint 5 additional examiners, 2 stenographers and 1 messenger; compensation. 1§ '07 ch.280, 1 June
- k **Pa.** Persons and unincorporated associations engaged in banking business to be under supervision of Comr. of Banking. 1§ '07 ch.309, 7 June
- n **S. C.** Expenses of extra examination by Bank Examiner necessary through negligence of bank's officers to be paid by bank. Amds. '06 ch.64 §4. 1§ '07 ch.235, 19 Feb.
- p **Tex.** Creating Comr. of Agric.; elected for 2 years, salary \$2500; duties; annual report to Gov.; Dept. of Agric., Insurance, Statistics and History to be known as Dept. of Insurance and Banking, certain duties being transferred to Comr. of Agric. 17§ '07 ch.59, 4 Apr.
- q **Vt.** Inspector of Finance to be known as Bank Comr.; salary \$1200 [\$1000]. Amds. S. §5321. 2§ '06 ch.203, 19 Dec.
- r **Wy.** Private bankers to be subject to same regulations as state banks. 2§ '07 ch.68, 19 Feb.

1684

## Capital

- a **Col.** Amdg. G.S.'83 §271 rel. to minimum capital of bank of discount: graded according to population. 1§ '07 ch.140, 11 Apr.
- b **Neb.** Amdg. C.S.'05 §709: banks in cities and villages of 400 or less to have capital of \$10,000 [\$5000]. 2§ '07 ch.3, 18 Mar.
- c **Wis.** Amdg. '03 ch.234 pt.1 §1 to be S.'98 §2024 subdiv.6 rel. to capitalization of banks. 1§ '07 ch.545, 10 July

1687

**Dissolution. Insolvency**

*See also 523, Corporations*

- a **Ari.** Amdg. R.S.'01 §139 rel. to duties of Bank Comptroller regarding unsafe banks. 4§ '07 ch.96, 21 Mar.
- b **Ind.** Amdg. '05 ch.169 §401 rel. to officers of insolvent banks receiving deposits: penalty 2 to 14 [1 to 3] years, *disfranchisement and disqualification from office.* 2§ '07 ch.7, 8 Feb.
- c **Me.** When Bank Examiner and majority of trustees deem it inexpedient for savings bank to continue they may apply to court for liquidation. 1§ '07 ch.128, 26 Mar.
- d **Mon.** Amdg. Pen. C. §986 which prohibits banks etc. receiving deposits when insolvent. 2§ '07 ch.84, 4 Mar.
- e **Nev.** Embezzlement for officer of bank to receive deposit when bank insolvent. 2§ '07 ch.189, 29 Mar.
- f **N. Y.** Amdg. banking law '92 ch.689 §17 rel. to State Supt. taking possession of property of bank: notification to other banks; payments and clearances by them thereafter not liens. 1§ '07 ch.522, 17 June
- g **Pa.** Order of distribution of assets of trust company: 1st depositors, 2d creditors, 3d shareholders. 2§ '07 ch.151, 8 May

1688

**Deposits**

*For receiving deposits when insolvent see 1687*

- a **Cal.** Deposit payable to either or survivor of 2 or more persons may be so paid in due course of business. Adds §1828 to C.C. 1§ '07 ch.75, 4 Mar.
- b **Cal.** Surviving husband or wife or children may draw bank deposit of not to exceed \$500 of deceased without procuring letters of administration. Adds §1454 to C.C.P. 1§ '07 ch.264, 16 Mar.
- c **Id.** Deposits in bank unclaimed for 10 years to be reported to State Bank Examiner biennially and to be published in newspaper once per week for 4 weeks; after 6 months to be paid to State Treasurer for school fund. 3§ '07 p.554, 16 Mar.
- d **Kan.** Banks to receive deposits from and pay out moneys on order of minors. 1§ '07 ch.66, 11 Mar.
- e **Me.** Joint deposits payable to either or survivor may be paid to either whether other dead or not. 1§ '07 ch.119, 26 Mar.
- f **Mich.** Bank not liable for payment of forged or raised check unless notified within 3 months of return to depositor. 1§ '07 ch.95, 22 May
- g **N. J.** Bank deposits in name of 2 persons payable to either or survivor may be paid to either whether both be living or not. 1§ '07 ch.40, 11 Apr.
- h **N. Y.** Amdg. banking law '92 ch.689 §114: joint deposits made payable to either or survivor may be paid to either whether other dead or not. 1§ '07 ch.247, 30 Apr.
- i **N. C.** Deposits in name of minor over 14 may be paid directly to him. 1§ '07 ch.750, 8 Mar.

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- j Or. Deposits inactive for 7 years to be reported by banks to Sec. of State biennially; list to be published; Atty. Gen. to institute proceedings for forfeiture; penalty. 3§ '07 ch.148, 25 Feb.
- k Wash. Bank not liable on forged or raised check unless notified in 60 days. 1§ '07 ch.27, 19 Feb.
- n Wash. Deposit in bank under \$300 payable to either of 2 persons may be paid to either whether other be living or not. 1§ '07 ch.80, 7 Mar.

1689

### Foreign corporations

- a Mon. Foreign banking corporations. Rep. '05 ch.104. 17§ '07 ch.137, 7 Mar.
- b N. J. Foreign banking corporations to transact business only to extent that domestic companies may. 1§ '07 ch.35, 10 Apr.
- c Pa. Companies dealing in foreign securities and agents to be licensed by Comr. of Banking; to deposit \$100,000 security in local trust company; securities to be registered with Sec. of Commonwealth; not to guarantee more than 8%; subject to inspection by Comr. of Banking; penalties. 8§ '07 ch.302, 7 June

1690

### Liability of stockholders and officers

- a Minn. Amdg. R.L.'05 §2985: stockholder of bank of discount liable in amount of stock owned by him. 1§ '07 ch.137, 10 Apr.

1691

### Loans. Investments

- a Ia. Amdg. C. §1869: loan by savings bank to director authorized; regulations. 1§ '07 ch.91, 23 Mar.
- b Mass. Coöperative bank may provide in its mortgage forms for assignment to company insuring property but denying liability as to insured. 2§ '07 ch.351, 3 May
- c Minn. Amdg. R.L.'05 §2993 rel. to limitation of loans by banks: not more than 15% of capital and surplus on real estate, 20% on 1st mortgage for less than 50% of value of improved farm land. 1§ '07 ch.156, 12 Apr.
- d Mon. Loans by bank to officer: security; if over 10% of capital to be approved by directors; penalties. 3§ '07 ch.164, 8 Mar.
- e Wy. Amdg. R.S.'99 §3096: liability of individual to banking association not over 1/5 [1/7] of capital stock. 1§ '07 ch.55, 16 Feb.

1695

### Reserve. Surplus

- a Pa. Reserve fund in banks; amount; securities for investment. 6§ '07 ch.150, 8 May
- b Tex. Amdg. '05 (ex. sess.) ch.10 §7; bank reserve may be deposited with foreign bank. 1§ '07 ch.37, 22 Mar.

1698

### Trust and safe deposit companies

- a Cal. Trust company to have minimum of \$100,000 of capital stock paid in before incorp. Adds §290a to C.C. 1§ '07 ch.453, 21 Mar.

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- b **Ct.** Trust company not to engage in any kind of insurance business; those doing title guarantee business may continue. 2§  
'07 ch.180, 8 July
- c **Id.** Amdg. '01 p.26 §1: president or sec. of trust etc. company may take oath for corp. as trustee etc. 2§ '07 p.545, 16 Mar.
- d **Kan.** Amdg. '03 ch.528 §1 and G. S. '01 §1482 rel. to trust companies. 3§ '07 ch.425, 12 Mar.
- e **Me.** Organization and management of trust companies. Amds. R.S.'03 ch.48 §82. 23§ '07 ch.96, 21 Mar.
- f **Mass.** Amdg.R.L. ch.116 §5 rel. to capital stock of trust company: minimum \$200,000 [\$500,000]; in places under 100,000, \$100,000 [\$200,000]. 2§ '07 ch.487, 10 June
- g **Mich.** Incorp. of safety and collateral deposit companies. 13§  
'07 ch.240, 27 June
- h **Mo.** Trust company: reserve; surplus; officers not to borrow funds; Sec. of State to have supervision. Adds R.S.'99 §1439a-d. 4§  
'07 p.190, 19 Mar.
- i **Mon.** Msdr. to make unauthorized use of words "trust company" or "savings bank." 2§ '07 ch.159, 7 Mar.
- j **N. Y.** Trust company: deposit in name of minor to be paid to such minor; deposit in trust may be paid to beneficiary on death of trustee; no official oath required when appointed executor etc. Adds banking law '92 ch.689 §158a-b. 2§ '07 ch.612, 18 July
- k **N. C.** Placing trust companies under laws governing banks. Amds. Revisal '05 §222, 225-28, 231, 233, 241-42. 13§ '07 ch.829, 8 Mar.
- n **S. D.** Amdg. '05 ch.74 §1, 4 rel. to trust companies: word "trust" not to be used as part of name unless authorized by this act; may be appointed executors. 3§ '07 ch.109, 5 Mar.
- p **Vt.** Contents of safe deposit box on which 3 years rent is due may be removed to gen. safes of company; procedure. 1§  
'06 ch.129, 15 Nov.
- q **Wash.** Amdg. '03 ch.176 §4 rel. to powers of trust company: when not engaged in banking business may guarantee titles of land. 1§  
'07 ch.126, 11 Mar.

1700

## Reports. Inspection

- a **Mass.** Stockholders of trust companies to elect examining committee of 3 or more, not officers or members of executive or finance committee; to examine annually assets and liabilities; report to Bank Comr., directors and stockholders. 4§ '07 ch.319, 22 Apr.
- b **Mass.** Amdg. R.L. ch.116 §36: Bd. of Comrs. of Savings Banks may require report of condition of trust company 5 [4] times in year. 1§  
'07 ch.320, 22 Apr.

1701

## Deposits

- a **Mass.** Amdg. R.L. ch.116 §16: money paid into court and deposited in trust company if unclaimed for 10 years to be paid to Treasurer and Receiver Gen. subject to claim of owner. 1§  
'07 ch.417, 16 May

## BANKING

1703

### Investments. Reserves

- a **Minn.** Amdg. R.L.'05 §3033: Public Examiner to ascertain if securities deposited with him comply with law before issuing certificate to trust company. 1§ '07 ch.225, 17 Apr.
- b **Vt.** Trust companies may loan on notes or accepted drafts of nonresidents for goods manufactured in state and payable to residents. Amds. S. §4099. 1§ '06 ch.128, 16 Nov.

1705

### Officers

- a **Ind.** Amdg. '93 ch.161 §6: bylaws of loan and trust and safe deposit companies may fix maximum numbers of directors. 1§ '07 ch.83, 28 Feb.

1708

### Savings banks

- a **Ct.** Savings deposits of banks and trust companies to be invested as though in savings bank and subject to same tax. 5§ '07 ch.85, 22 May
- b **Ind.** Rep. '69 ch.51 §53 rel. to savings banks. 1§ '07 ch.52, 25 Feb.
- c **Me.** Amdg. R.S.'03 ch.48 §21, 23, 25, 28, rel. to joint deposits and investments of savings banks. 10§ '07 ch.69, 18 Mar.
- d **Mass.** Bank Comr., Treasurer and Receiver Gen. and Comr. of Corporations to examine laws rel. to savings banks and suggest changes at next session; \$500. '07 r.24, 12 Mar.
- e **Mass.** Certain foreign banking corporations to conduct savings business separately and under rules applicable to savings banks. 6§ '07 ch.533, 19 June
- f **Mon.** Msdr. to make unauthorized use of words "trust company" or "savings bank." 2§ '07 ch.159, 7 Mar.
- g **N. H.** Prohibiting use of designation of savings bank by unauthorized persons or corporations; powers of Bank Comrs.; penalty. 3§ '07 ch.112, 4 Apr.
- h **Tex.** Amdg. '05 (ex. sess.) ch.10 §16: powers of savings bank. Rep. §21. 2§ '07 ch.162, 23 Apr.

1712

### Deposits

- a **Ct.** Savings bank deposit may be paid to either of joint depositors. 1§ '07 ch.61, 1 May
- b **Ct.** Savings bank may pay order for not to exceed \$300 within 30 days after death of depositor or before notice of death. 1§ '07 ch.65, 1 May
- c **Ct.** Owner of lost pass book of savings bank to make application in writing for duplicate and advertise same in newspapers for 3 weeks; at end of 6 months bank to issue duplicate without responsibility for original. 1§ '07 ch.130, 12 June
- d **Mass.** Deposits in savings banks unclaimed for 30 years to be paid to Treasurer and Receiver Gen.; procedure for reclaiming same thereafter. 2§ '07 ch.340, 24 Apr.
- e **N. H.** No limitation on amount of deposit in savings bank in case of trust funds or public moneys. 1§ '07 ch.123, 4 Apr.

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## Investments. Reserves

- a **Mich.** Amdg. C.L.'97 §6116, 6141 rel. to savings banks: securities in which investments may be made; liability of borrowers. 2§  
'07 ch.322, 28 June
- b **N. H.** Amdg. '01 ch.114 §1 ¶18, 14: savings banks may invest in bonds of villages, precincts or districts of New York and New England States. 2§  
'07 ch.29, 20 Feb.
- c **N. H.** Amdg. '01 ch.114 §1 art.18-20: savings banks authorized to invest in stocks *and notes* of certain corporations. 3§  
'07 ch.67, 20 Mar.
- d **N. H.** Amdg. P.S. ch.65 §4, 5: savings bank deposits invested in local bonds of state exempt from taxation. 2§  
'07 ch.102, 2 Apr.

1715

## Mortgage, loan and investment companies

- a **Ct.** Amdg. '03 ch.194 §82 which requires filing of charter or certificate of foreign corp.: investment company excepted. 1§  
'07 ch.60, 1 May
- b **Me.** Amdg. '05 ch.73 §1 regulating sale of bonds etc. on installment plan. 1§  
'07 ch.127, 26 Mar.
- c **Mich.** Loan and investment society may reorganize as banking corp. Adds '07 ch.205 §68-70. 3§  
'07 ch.274, 27 June
- d **Minn.** Amdg. '05 ch.93 §2: minimum capital of corp. to negotiate mortgages on farm land \$40,000 [\$100,000]. 1§  
'07 ch.238, 18 Apr.

1718

## Building and loan associations

The names of these organizations vary somewhat but the powers and regulations do not depend on the name. The ordinary phrase is building and loan associations, but they are elsewhere called savings and loan associations, co-operative loan associations, etc., and in Massachusetts cooperative banks.

- a **Cal.** Rep. and reenacting C.C. division 1, pt.4, t.16 rel. to building and loan associations. 17§  
'07 ch.502, 23 Mar.
- b **Mon.** Amdg. '97 p.231 §1, 17, 25: building and loan associations to be conducted under *banking* [gen. corp.] laws. Rep. §10-13, 21, 22, 27. 5§  
'07 ch.104, 5 Mar.
- c **N. C.** Amdg. Revisal '05 §3880, 3884, 3889-90, 3894, 3898 rel. to building and loan associations: licensed by Insurance Comr.; kinds; loans; examination; license fees. 7§  
'07 ch.959, 11 Mar.
- d **N. D.** Amdg. R.C.'05 §4610: certain foreign corporations considered building and loan associations. 1§  
'07 ch.56, 12 Mar.
- e **Wis.** Bonding officials of building and loan associations. Adds S.'98 §2014 subdiv. 111-o. 4§  
'07 ch.470, 1 July

1720

## Inspection

- a **Cal.** Amdg. '05 ch.504 §3 rel. to expenses of Building and Loan Comrs. 1§  
'07 ch.505, 23 Mar.
- b **Col.** Auditor of State to be Inspector of Building and Loan Associations; articles of incorp. and semiannual report to be filed with him; annual inspection. 7§  
'07 ch.113, 17 Apr.

## INSURANCE

1720

- c **N. M.** Amdg. '03 ch.54 §6-9: building and loan associations to be examined by and report to Traveling Auditor and Bank Examiner. 1§  
'07 ch.23, 16 Mar.
- d **Wis.** Comr. of banking may require building and loan association to adopt prescribed method of bookkeeping; penalty. Adds S.'98 §2014 subdiv. 14l, m. 2§  
'07 ch.468, 1 July

1726

### Reserve. Security deposit

- a **Ari.** Amdg. R.S.'01 §921 rel. to security deposits of building and loan companies: if a security deposit mortgage be allowed to diminish company is precluded from bringing an action on any mortgage. 1§  
'07 ch.68, 21 Mar.
- b **Nev.** Foreign building and loan company to deposit \$50,000 with State Treasurer; penalties. 4§  
'07 ch.79, 14 Mar.

1727

## Pawnbroking

*See also 463, Usury; 1568, Junk and secondhand dealers*

- a **Del.** Msdr. for secondhand dealer or pawnbroker to accept wearing apparel or household goods from intoxicated person. 1§  
'07 ch.163, 14 Feb.
- b **Mass.** Amdg. R.L. ch.102 §42 rel. to records to be kept by pawnbrokers: shall furnish record to licensing bd. at least weekly. 1§  
'07 ch.211, 16 Mar.
- c **Mass.** Pawnbrokers receiving builders tools to list same in book with name and address of pawner. 3§  
'07 ch.500, 12 June
- d **Mich.** Regulating and licensing pawnbrokers and loan agents. 19§  
'07 ch.334, 28 June
- e **Mich.** Loaning of money on chattel mortgage or assignment of salary; interest not to exceed 2% per month; bonus prohibited; graduated fees; city license; applies to cities of 20,000. 6§  
'07 ch.337, 28 June
- f **Minn.** Prohibiting junk or secondhand dealer or pawnbroker from receiving goods from minor. 2§  
'07 ch.228, 18 Apr.
- g **N. H.** Pawnbrokers to issue tickets; must not receive article for pawn from person under influence of liquor or narcotics. 3§  
'07 ch.26, 20 Feb.
- h **N. J.** Pawnbrokers not to receive mechanics building tools unless accompanied by affidavits of 2 reputable citizens that same are property of pledgor; penalty. 4§  
'07 ch.15, 29 Mar.

1732

## Insurance

*See also 500, Corporations; 844, Taxation of insurance companies*

- a **Cal.** Rep. P.C. art.16., C.C. §419, 420, 447-49, 451 and reenacting P.C.art.16 rel. to insurance. 56§  
'07 ch.119, 8 Mar.
- b **Col.** Creating Insurance Dept.; Gov. and Senate to appoint Comr. of Insurance for 2 years, salary \$3000; gen. insurance regulations. Rep. 17 acts. 74§  
'07 ch.193, 1 Apr.

1732

- c **Ct.** Discrimination by life insurance company prohibited; Insurance Comr. may cancel authority of foreign insurance company from state refusing to license domestic company in solvent state and having deposited securities required by foreign state; statement of assets to contain liabilities and be approved by comr. Amds. G.S.'02 §3538, 3618. 3§ '07 ch.193, 10 July
- d **Me.** Policy of foreign insurance company containing reference to application must have such application attached thereto; penalty for false statement to obtain insurance benefit. 2§ '07 ch.30, 6 Mar. Amended. '07 ch.187, 28 Mar.
- e **Mass.** Recodifying, revising and amdg. insurance laws other than fraternal and assmt. 123§ '07 ch.576, 28 June
- f **Mass.** Providing for 3000 copies of report of joint special committee to revise laws rel. to insurance; distribution. '07 r.13, 21 Feb.
- g **Minn.** Amdg. R.L.'05 §1618: license of insurance company to expire Mar. 1 [May 1]. Rep. '05 ch.248. 2§ '07 ch.11, 5 Feb.
- h **Minn.** For expenditure over \$100 insurance company to have voucher; if for legis. or governmental matter, must state nature thereof and interest of company. 2§ '07 ch.40, 14 Mar.
- i **Minn.** Foreign insurance company to designate Insurance Comr. atty. on whom to serve process; must agree not to remove cause to U. S. court; penalty revocation of license. 3§ '07 ch.155, 12 Apr.
- j **Minn.** Amdg. R.L.'05 §1594, 1607, 1617, 1625, 1627-28, 1630-31 rel. to insurance. 8§ '07 ch.321, 23 Apr.
- k **N. J.** Amdg. '02 ch.134 §1-2 rel. to kinds of insurance allowed; damage by explosion of pipes, engines, motors; leakage of apparatus to extinguish fires. 3§ '07 ch.68, 15 Apr.
- n **N. J.** Amdg. '02 ch.134 §6, 16, 18, 24, 70, 72 rel. to insurance companies: capital; character of investments; annual valuation of policies; contents of annual report; examination by comr. at least every 3 years; no company to give comr. or assistants gratuities. 6§ '07 ch.73, 15 Apr.
- p **N. C.** Amdg. Revisal '05 §3484, 4683, 4697, 4704, 4729, 4754, 4777 rel. to insurance. 8§ '07 ch.1000, 11 Mar.
- q **Or.** Amdg. Ann. C.& S. §3722 rel. to insurance companies: ascertaining liabilities; prohibiting wrongful retention of funds; life insurance rebates. 1§ '07 ch.216, 25 Feb.
- r **Tenn.** Joint legis. committee of 5 to investigate subject of insurance; report at present session. '07 p.2194, 8 Feb. Increased to 9 members. '07 p.2199, 15 Feb.
- s **W. Va.** Gen. insurance law. Rev. C. ch.34. 76§ '07 ch.77, 25 Feb.
- t **Wis.** Penalty for violation of insurance laws, where no other prescribed, \$5000 for corp., 1 year or \$1000 for person. Adds S.'08 §1955-o subdiv.5. 1§ '07 ch.483, 9 July

1733

*State departments*

- a **Ga.** Salary of insurance clerk in Comptroller Gen.'s office \$1800. 2§ '07 p.97, 22 Aug.



## INSURANCE

1733

- b **Id.** Amdg. '01 p.165 §7 rel. to Insurance Comr.: salary \$2400 [\$1800]; *deputy at \$1800; \$1645 [\$1800] for office expenses.* 2§  
'07 p.557, 16 Mar.
- c **Minn.** Amdg. '05 ch.229 §2,6 rel. to Insurance Dept.: examiner at \$2000; fees. 2§  
'07 ch.472, 26 Apr.
- d **N. C.** Popular election of Insurance Comr.; term 4 years. 2§  
'07 ch.868, 11 Mar.
- e **N. C.** Salary of Insurance Comr.'s stenographer \$900. 2§  
'07 ch.995, 11 Mar.
- f **Pa.** Insurance Comr. may employ 2 inspectors; salary \$1500. 1§  
'07 ch.58, 15 Apr.
- g **Tenn.** Amdg. '95 ch.160 §3: deputy Insurance Comr. provided for. 2§  
'07 ch.459, 15 Apr.
- h **Wash.** Creating State Insurance Comr., elected for 4 years; salary \$3000. '07 ch.109, 11 Mar.

1734

### *Examination. Report.*

- a **Del.** Contents of annual report of life insurance company. 2§  
'07 ch.103, 9 Apr.
- b **Ia.** Amdg. '04 ch.56 §3: salary of Insurance Examiner \$3000 [\$2000]. 1§  
'07 ch.78, 9 Feb.
- c **Minn.** Amdg. R.L.'05 §1619 rel. to publication of annual statement of insurance company. Rep. '05 ch.248. 2§  
'07 ch.61, 25 Mar.
- d **Mon.** Requiring annual publication in 2 newspapers by insurance company of certificate of authority to transact business and statement of financial condition. 2§  
'07 ch.68, 2 Mar.
- e **Mon.** Amdg. C.C. §666 rel. to time of filing and contents of annual report of insurance company. 2§  
'07 ch.72, 4 Mar.
- f **Pa.** Amdg. '05 ch.130 §13: \$3900 [3100] copies of report of Insurance Comr. on fire and marine insurance to be printed. 1§  
'07 ch.289, 6 June
- g **Wy.** Amdg. R.S.'99 §3174 rel. to reports of insurance companies: to be published by Insurance Comr. at expense of company. 1§  
'07 ch.98, 20 Feb.

1735

### *Government insurance*

- a **Mass.** Comn. of 5 appointed by Gov. and Council to investigate systems of old age insurance or pensions; report by Jan. 15, 1909; \$2500. '07 r.127, 26 June
- b **Minn.** Submitting amdt. to Const. 1857 art.9 adding §17: state insurance for loss to crops from hail and cyclone; tax on land listed by owners; fund; action by Legis. authorized. 2§  
'07 ch.479, 25 Apr.
- c **S. C.** Certain state institutions to carry 90% of insurance with old line companies, 10% with State Sinking Fund Comrs. Adds §129a to C.C. 1§  
'07 ch.268, 20 Feb.
- d **Tenn.** Joint Insurance Committee to investigate subject of state fire insurance. '07 p.2239, 14 Feb.

1736

### **Agents**

- a **Del.** Corp. not to act as agent of life insurance company. 2§  
'07 ch.107, 21 Mar.

1736

- b Del.** Person soliciting application for insurance on life of another deemed agent of company. 2§ '07 ch.108, 21 Mar.
- c Ind.** Person procuring insurance on life of another to be regarded as agent of company in controversies between company and assured. 2§ '07 ch.67, 26 Feb.
- d Mich.** Person soliciting application for life insurance to be regarded as agent of company, not of assured. 2§ '07 ch.183, 18 June
- e Mich.** Salaries of officers and agents of life insurance company: vote of bd. if over \$5000; agreement limited to 1 year; if over \$1200 no other compensation to be paid; pensions prohibited. 2§ '07 ch.259, 27 June
- f Minn.** Person soliciting application for life insurance to be regarded as agent for company in controversy between it and assured. 2§ '07 ch.41, 14 Mar.
- g Mo.** Msdr. for officer to make false statement as to terms of life insurance policy; license of company to be revoked for 5 years; person soliciting application for life insurance deemed agent of company, not of assured. Adds R.S.'99 §7890a. 2§ '07 p.317, 18 Mar.
- h Mon.** Person soliciting application for life insurance to be deemed agent of company, not of assured. 2§ '07 ch.30, 25 Feb.
- i N. H.** Amdg. P.S. ch.169 §7: agents of foreign insurance companies to be licensed residents [of steam boiler insurance excepted]. 2§ '07 ch.89, 26 Mar.
- j N. H.** Person soliciting application for insurance on life of another deemed to be agent of insurer. 2§ '07 ch.109, 3 Apr.
- k N. H.** Amdg. P.S. ch.169 §13: license fee of agent of foreign steam boiler insurance company \$2 [\$10]. 1§ '07 ch.116, 4 Apr.
- n N. Y.** Amdg. insurance law '92 ch.690 §91, 94, 103 rel. to certificate of authority of life insurance agent and election of directors of mutual company. 3§ '07 ch.623, 19 July
- p N. C.** Person soliciting insurance on life of another to be considered agent of company issuing policy. 1§ '07 ch.958, 11 Mar.
- q N. D.** Person soliciting application for life insurance policy to be regarded as agent of company, not of assured. 2§ '07 ch.146, 8 Mar.
- qa Tenn.** Person soliciting application for life insurance to be regarded as agent of company and not of assured. 2§ '07 ch.442, 12 Apr.
- qb Tenn.** Corp. not to act as agent of life insurance company. 2§ '07 ch.444, 12 Apr.
- r W. Va.** Person soliciting application for life insurance to be considered agent of company and not of assured. 2§ '07 ch.53, 27 Feb.
- s Wis.** Amdg. S.'98 §1976 rel. to insurance agents licenses: millers, manufacturers and dealers in plate glass excepted. 1§ '07 ch.501, 9 July
- t Wis.** Corp. or stock company not to act as agent of life insurance company. Adds S.'98 §1955x subdiv. 1. 2§ '07 ch.599, 12 July

## INSURANCE

### 1737 Amendments and extension of charter. Reorganization

- a Mich. Amdg. '73 ch.82 §24 rel. to reorganization of mutual fire insurance company at expiration of charter. 1§ '07 ch.16, 7 Mar.

### 1738 Brokers

- a Pa. Licensing broker of unauthorized fire insurance company; fee \$100; policies to be issued only on affidavit that sufficient insurance can not be had from authorized; 3% tax on gross premiums. Amds. '73 ch.3, §14. 2§ '07 ch.296, 7 June
- b Vt. Fire or casualty insurance company or its agents not to allow nonresidents to issue policies on property in state; penalty. 5§ '06 ch.130, 22 Nov.

### 1739 Capital

- a Ind. Amdg. '99 ch.28 §5: life insurance company may increase or decrease capital at meeting of stockholders; 30 day notice of meeting. 1§ '07 ch.262, 13 Mar.
- b Ia. Minimum capital of insurance company \$100,000 paid up; not to be loaned to officer or stockholder; must not advertise more than paid-up capital; penalty. 4§ '07 ch.79, 4 Apr.
- c Minn. Mutual life insurance company may issue temporary capital of not less than \$100,000; to be retired as soon as surplus remaining shall equal such capital. 2§ '07 ch.162, 12 Apr.
- d N. H. Amdg. P.S. ch.169 §2 rel. to foreign insurance companies: capital of casualty or health companies \$100,000 [\$200,000]. 1§ '07 ch.37, 6 Mar.

### 1470 Combinations

- a Ark. Insurance company member of trust not to do business in state. 2§ '07 ch.184, 17 Apr.

### 1741 Deposit of security. Reserve

- a R. I. Domestic fire insurance companies may create guaranty surplus and special reserve funds; regulations. Rep. G.L. ch.181 §26-33; '96 ch.307. 11§ '07 ch.1438, 18 Apr.
- b S. D. Amdg. '05 ch.73 §2 rel. to deposit of securities with State Treasurer by title guaranty, employers liability and burglary insurance corp.: State Treasurer to examine same at expense of corp. 2§ '07 ch.110, 9 Mar.

### 1742 Discrimination

- a Ark. Life insurance company not to allow policy holder rebate on pretense of being agent. 2§ '07 ch.321, 14 May
- b Me. Amdg. R.S.'03 ch.49 §104 which prohibits discrimination or rebates in life insurance. 1§ '07 ch.121, 26 Mar.
- c Mich. Amdg. C.L.'97 §7219 which prohibits giving of rebates by life insurance company. 1§ '07 ch.181, 18 June
- d Minn. Prohibiting discrimination by life insurance company; penalty. '07 ch.277, 22 Apr.

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- e **Mo.** Prohibiting discriminations by life insurance company; penalty forfeiture of license for 5 years and msdr. for officer. Adds R.S.'99 §7900a. 2§ '07 p.316, 18 Mar.
- f **Mon.** Prohibiting discrimination between insureds by life insurance company; penalty. 5§ '07 ch.73, 4 Mar.
- g **N. H.** Prohibiting discrimination, rebates and secret agreements by life insurance companies; penalty. 3§ '07 ch.111, 3 Apr.
- h **N. Y.** Amdg. insurance law '92 ch.690 §89 rel. to discrimination by life insurance companies and immunity of witnesses testifying thereto. 1§ '07 ch.729, 25 July
- i **N. Y.** Amdg. Pen. C. §577k which prohibits giving of rebates by life insurance company: witness compelled to testify under immunity. 1§ '07 ch.741, 26 July
- j **N. D.** Prohibiting discriminations between insured by life insurance company; penalty. 3§ '07 ch.148, 8 Mar.
- k **Tenn.** Msdr. for life insurance company or employee to give rebate as inducement to insurance. 3§ '07 ch.456, 15 Apr.
- n **Wis.** Amdg. S.'98 §19550 rel. to discrimination by life insurance company. 1§ '07 ch.504, 9 July
- p **Wy.** Amdg. R.S.'99 §3274 which prohibits discrimination by life insurance companies. 2§ '07 ch.38, 16 Feb.

1743

## Dissolution. Insolvency

- a **Wis.** Amdg. S.'98 §1949 rel. to discontinuance of life insurance company. 1§ '07 ch.150, 29 May

1746

## Foreign companies

- a **Ala.** Amdg. C.'96 §2584 rel. to taxation of foreign insurance companies: fire 1 1/2%, others 2% [1%] of gross premiums. 1§ '07 p.323, 4 Mar.
- b **Cal.** Amdg. P. C. §595: revocation of certificate of foreign insurance company removing action against it from *Superior* [District] Court to U. S. Circuit Court. 1§ '07 ch.20, 19 Feb.
- c **Kan.** Amdg. '03 ch.332 §1 rel. to foreign insurance companies: reciprocal clause; fee for summons to foreign company. 2§ '07 ch.223, 28 Feb.
- d **Mich.** Deposits, fees, taxes etc. of insurance company of state where higher amounts and rates are required than by Mich. 4§ '07 ch.199, 19 June
- e **Minn.** Imposing on foreign insurance companies same conditions imposed by state where organized on companies organized in Minn. 1§ '07 ch.420, 25 Apr.
- f **Neb.** Foreign insurance company which removes suit from state to federal court to be barred from transacting business in the state. 3§ '07 ch.26, 18 Mar.
- g **Neb.** Amdg. C.S.'05 §1939 rel. to statement of assets to be filed by foreign insurance company; publication of abstract and auditor's certificate of compliance. 2§ '07 ch.24, 8 Apr.
- h **Neb.** Foreign live stock insurance companies may do business in Neb. 1§ '07 ch.72, 8 Apr.

## INSURANCE

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- i **N. Y.** Amdg. insurance law '92 ch.690 §31: agent of foreign insurance company *1st year admitted to do business in state* to file supt's. certificate with county clerk. 1§ '07 ch.285, 4 May
- j **Tenn.** Amdg. '95 ch.160 §9 subdiv.3: Insurance Comr. to revoke authority of foreign insurance company removing proceeding from state to federal court. 1§ '07 ch.253, 8 Apr.

1747

### Investments

- a **Cal.** Rep. C.C. §421 as enacted '05 ch.39 §2. 2§ '07 ch.320, 18 Mar.
- b **Cal.** Rep. C.C. §444 rel. to investments by certain life and accident insurance corporations. 1§ '07 ch.486, 22 Mar.
- c **Cal.** Amdg. C.C. §421 rel. to securities in which insurance companies may invest: bonds of organized school districts of any state included; not to be made in merchandise and cereals in warehouse. 1§ '07 ch.487, 22 Mar.
- d **Del.** Investments and real estate holdings of life insurance company. 3§ '07 ch.110, 9 Apr.
- e **Ga.** Amdg. C.'95 §2026: insurance company may invest in bonds of other states and counties and cities thereof and loan money on real estate therein; Insurance Comrs. to approve. 2§ '07 p.56, 22 Aug.
- f **Ia.** Prescribing securities in which funds of fraternal beneficiary associations may be invested; to be deposited with Auditor of State. 1§ '07 ch.88, 14 Feb.  
Amended: not to apply to benevolent associations composed of members of 1 guild, profession or religion. 1§ '07 ch.89, 26 Mar.
- g **Mich.** Amdg. C.L.'97 §7231 rel. to securities in which funds of fire insurance company may be invested. 1§ '07 ch.184, 18 June
- h **Minn.** Investments and real estate holdings of life insurance companies. 3§ '07 ch.163, 12 Apr.
- i **Mo.** Authorizing investment of reserve and surplus of insurance company in deeds of trust on lands or county and mun. bonds of any state. Adds R.S.'99 §8009a. 1§ '07 p.315, 18 Mar.
- j **N. C.** Adding subdiv.4 to Revisal '05 §4731: investments of insurance company in excess of \$100,000 may be made in securities approved by comr. 1§ '07 ch.798, 8 Mar.
- k **N. C.** Amdg. Revisal '05 §4731 subdiv.3 rel. to investments of insurance companies. 1§ '07 ch.998, 11 Mar.
- n **N. D.** Restricting investment of funds and real estate holdings of life insurance company. 3§ '07 ch.156, 20 Mar.
- p **Tenn.** Investment of funds of domestic life insurance company. 5§ '07 ch.458, 15 Apr.

1748

### Liability. Actions against company

- a **Cal.** Where defendant in action on contract of insurance sets up loss remotely caused by peril excepted in policy, he must specify such peril and how it contributed to loss; to apply to actions pending or otherwise. Adds §437a to C.C.P. 2§ '07 ch.447, 21 Mar.

1748

- b **Mo.** Authority of foreign insurance company removing suit to federal courts to be revoked for 5 years. 1§ '07 p.314, 19 Mar.
- c **Tex.** Amdg. R.C.S.'95 art.3049: revocation of permit of insurance company removing case from state to federal court. 1§ '07 ch.82, 6 Apr.

1749

**Name**

- a **Mich.** Amdg. C.L.'97 §7191: name of life insurance not to be like that of any corp. already organized. 1§ '07 ch.173, 18 June

1750

**Officers**

- a **Ia.** Providing for representation on bd. of directors of life and fire insurance companies of not less than 1/4 of minority stockholders. 2§ '07 ch.74, 26 Mar.
- b **Ia.** Proxies for insurance company elections must be executed within 2 months before and expire 30 days after election; may be revoked any time; to be filed with company day before; agents not to solicit; penalty. 3§ '07 ch.77, 4 Apr.
- c **Mich.** Salaries of officers and agents of life insurance company: vote of bd. if over \$5000; agreement limited to 1 year; if over \$1200 no other compensation to be paid; pensions prohibited. 2§ '07 ch.259, 27 June
- d **Mo.** Domestic life insurance company to pay officer more than \$5000 annually only by vote of bd. of directors; life insurance company paying over \$50,000 annually to any officer not to be licensed. 2§ '07 p.315, 27 Feb.
- e **Mo.** Felony for officer of insurance company to use corp. funds for private gain. 3§ '07 p.313, 18 Mar.
- f **Mo.** Msdr. for officer to make false statement as to terms of life insurance policy; license of company to be revoked for 5 years; person soliciting application for life insurance deemed agent of company not of assured. Adds R.S.'99 §7890a. 2§ '07 p.317, 18 Mar.
- g **N. D.** Regulating salaries of officers of domestic life insurance company: over \$5000 to be authorized by bd. of directors; agreement not to be for over 12 months; if \$100 per month no extra compensation; pensions prohibited; company paying officer over \$50,000 per year not to be licensed. 3§ '07 ch.154, 19 Mar.
- h **Tenn.** Salaries of employees of life insurance company; pensions not to be granted. 3§ '07 ch.440, 12 Apr.
- i **Wis.** Mutual life insurance company not to give officer compensation in excess of \$25,000 except by vote of policy holders. Adds S.'98 §1947r. 1§ '07 ch.621, 13 July
- j **Wis.** Election of directors of mutual life insurance company. Adds S.'98 §1947c-k. 9§ '07 ch.667, 16 July

1751

**Property**

- a **Ia.** Fraternal beneficiary society may invest 10% of accumulation for payment of certificates in office building. 1§ '07 ch.87, 4 Apr.
- b **Pa.** Real estate that may be held by insurance companies. 2§ '07 ch.224, 28 May

1754

## Life and accident

- a **Del.** Life insurance company may deposit securities with Insurance Comr. to protect registered policy; regulations. 9§  
'07 ch.111, 9 Apr.
- b **Ill.** Adding §6a to '69 p.229 rel. to life insurance: Supt. of Insurance may require such additional information from companies as he may deem desirable. 1§  
'07 p.359, 20 May
- c **Ill.** Investments and real estate holdings of life insurance companies. 4§  
'07 p.364, 20 May
- d **Ill.** Domestic life insurance company not to pay salary exceeding \$5000 per year without special vote of bd. of directors; long time agreements and pensions prohibited. 2§  
'07 p.371, 20 May
- e **Ind.** All disbursements by domestic life insurance company to be evidenced by vouchers; if in connection with legislation voucher must state interest of company therein. 2§  
'07 ch.168, 9 Mar.
- f **Ia.** Expenditures of \$100 by domestic life insurance company to be evidenced by voucher. 1§  
'07 ch.84, 12 Mar.
- g **Ia.** Contents of articles of incorp. of life insurance company; approval by Auditor of State. 1§  
'07 ch.81, 27 Mar.
- i **Mich.** Expenditure by life insurance company of over \$100 to be evidenced by voucher; when legis. or governmental, voucher to state nature of matter and interest of company. 2§  
'07 ch.179, 18 June
- j **Mich.** Incorp. of burial benefit associations. 15§  
'07 ch.298, 27 June
- k **Minn.** Life insurance company issuing misleading statement to forfeit license; officers guilty of msdr. 3§  
'07 ch.43, 14 Mar.
- n **Minn.** Annual apportionment of surplus to participating policy holders by life insurance company; graded contingent reserve; policy holder may designate application of surplus; surrender value on default in payment of premium; agreement to contrary void. 6§  
'07 ch.198, 16 Apr.
- p **Minn.** Contents of annual report of life insurance company. 2§  
'07 ch.243, 19 Apr.
- q **Minn.** Rep. '01 ch.178 rel. to life insurance on stipulated premium plan. 1§  
'07 ch.474, 26 Apr.
- r **Mon.** Life insurance companies. 24§  
'07 ch.171, 8 Mar.
- s **Neb.** Adding §6b (§1940b) to C.S.'05 ch.16: fees of life insurance companies incorporated or admitted to do business in the state. 1§  
'07 ch.25, 23 Feb.
- t **Neb.** Amdg. C.S.'05 §1936: annual statement of life insurance company to contain itemized statement of expenses; Auditor to publish certificate in 2 newspapers that company has complied with law. 2§  
'07 ch.23, 8 Apr.
- u **N. J.** Domestic stock life insurance companies, issuing participating policies, not to pay more than 10% dividends on stock; capital not to exceed \$2,000,000; on dissolution assets above twice par value of stock to be paid into State Treasury. 3§  
'07 ch.70, 15 Apr.

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- v N. J. Life insurance: provisions required in policies; Comr. of Banking and Insurance to approve policy forms; vouchers for expenditures; legis. expenditures; limitation of salaries; penalty for misrepresentation by company; child insurance; can not issue both participating and nonparticipating insurance. Rep. '02 ch.134 §25-31. 12§  
'07 ch.72, 15 Apr.
- w N. J. Amdg. '95 ch.168 §1 rel. to life insurance: no rebates to be allowed for services; no distinction in agent's comm. based on participating or nonparticipating policy. 1§  
'07 ch.74, 15 Apr.
- x N. J. 3 members of bd. of directors of stock life insurance companies to be nonstockholding policy holders; appointed by Chancellor. 1§  
'07 ch.81, 16 Apr.
- y N. D. Disbursement of domestic life insurance company of over \$100 to be evidenced by voucher; if in connection with legis. matter, voucher to state nature thereof and interest of company. 2§  
'07 ch.149, 8 Mar.
- z N. D. Consolidation and reinsurance of domestic life, accident or health insurance companies. 6§  
'07 ch.150, 8 Mar.
- za N. D. Contents of annual report of life insurance company. 2§  
'07 ch.141, 19 Mar.
- zb Tenn. Life insurance company to obtain voucher for expenditure of over \$100; if for services, same to be specified; if service be in connection with matter before Legis. or public officer, interest of company to be stated. 2§  
'07 ch.439, 12 Apr.
- zc Tenn. Life and casualty insurance company on assmt. plan to deposit \$100,000 in securities. 2§  
'07 ch.450, 12 Apr.
- zd W. Va. Expenditure by life insurance company of over \$100 to be evidenced by voucher; when legis. or governmental, voucher to state nature of matter and interest of company. 2§  
'07 ch.34, 27 Feb.
- ze Wis. Rep. '99 ch.270 rel. to life insurance on stipulated premium plan. 1§  
'07 ch.121, 21 May
- zf Wis. Life insurance company to furnish copy of application for insurance within 30 days on demand; failure to bar defense of error or fraud. Adds S.'98 §1953b. 1§  
'07 ch.127, 22 May
- zg Wis. Life insurance company to report as to legislation opposed or promoted by it during preceding year and disbursements made therewith. Adds S.'98 §1953e. 1§  
'07 ch.131, 23 May
- zh Wis. Amdg. S.'98 §1948 rel. to conditions for issuing license to life insurance company. 1§  
'07 ch.132, 23 May
- zi Wis. Life insurance company not to issue both participating and nonparticipating policies. Adds S.'98 §19470. 1§  
'07 ch.146, 29 May
- zj Wis. Amdg. '98 §1953n: life insurance company to furnish gain and loss exhibit with report. 1§  
'07 ch.584, 12 July
- zk Wis. Amdg. S.'98 §1954: annual report of life insurance company to contain statement of business and financial condition. 1§  
'07 ch.597, 12 July
- zn Wis. Defining words used in life insurance laws. Adds S'98 §1946x. 1§  
'07 ch.637, 13 July
- zp Wis. Amdg. S.'98 §1947 rel. to organization of domestic life insurance company. 1§  
'07 ch.640, 15 July



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- zq** Wis. Life insurance companies: reports; limitation of expenses. Adds S.'98 §1950n-t. 7§ '07 ch.657, 16 July
- zr** Wis. Limiting expense charge in premium of life insurance policy. Adds S.'98 §1950m. 1§ '07 ch.668, 16 July

1755

### Actions against company. Liability

- a** Ari. No misrepresentation in obtaining life insurance policy to render same void unless contributing to event on which policy is payable; materiality question for jury; defendant to deposit in court amount of premiums received. 3§ '07 ch.46, 18 Mar.
- b** Kan. Misrepresentation in securing policy not to render policy void unless it concerned contingency on which policy was payable; company making misrepresentation a defence to deposit premiums in court. 3§ '07 ch.226, 9 Mar.

**Agents, see 1736**

**Brokers, see 1738**

**Combinations, see 1740**

**Discrimination, see 1742**

**Investments, see 1747**

1758

### Policy. Application. Rates

- a** Ari. R.S.'or §809 rel. to effect of lapsed premiums after 3 payments, to be read into contracts of insurance. 2§ '07 ch.85, 21 Mar.
- b** Del. Misrepresentation by life insurance company as to terms of policy prohibited; penalty. 3§ '07 ch.105, 5 Mar.
- c** Del. Life insurance policy to contain entire contract. 2§ '07 ch.106, 5 Mar.
- d** Ill. Prohibiting misrepresentation of policy benefits by life insurance companies. 3§ '07 p.366, 20 May
- e** Ill. Conditions and provisions of policies of life insurance companies. 7§ '07 p.367, 20 May
- f** Ia. Fraternal beneficiary societies, hereafter incorporated, to use National Fraternal Cong. mortality table. 1§ '07 ch.86, 15 Mar.
- g** Ia. Prohibiting misrepresentation as to policy by life insurance companies. 2§ '07 ch.85, 28 Mar.
- h** Mich. Life insurance policy to contain entire contract. 2§ '07 ch.180, 18 June
- i** Mich. Msdr. for officer of life insurance company to issue statement misrepresenting terms of policy. 3§ '07 ch.185, 18 June
- j** Mich. Rel. to life insurance policies: required and prohibited provisions; term insurance; policy form to be approved by Comr. of Insurance; foreign companies and foreign business. 7§ '07 ch.187, 18 June
- k** Minn. Policy of life insurance to contain entire contract. 2§ '07 ch.44, 14 Mar.

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- n Minn. Standard forms of life insurance policies. 11§  
'07 ch.220, 17 Apr.
- p Mon. Msdr. for life insurance company or officer thereof to misrepresent terms or benefits of policy. 4§ '07 ch.31, 25 Feb.
- q Mon. Policy of life insurance to contain entire contract. 2§  
'07 ch.39, 26 Feb.
- r N. H. Life insurance policies to contain entire contract. 2§  
'07 ch.110, 3 Apr.
- s N. Y. Amdg. insurance law '92 ch.690 §101 rel. to standard forms of life insurance policies. 1§ '07 ch.714, 23 July
- t N. C. Life insurance policies for less than \$500 to be approved by Insurance Dept. 1§ '07 ch.879, 11 Mar.
- u N. D. Msdr. for life insurance company or employee to misrepresent terms or benefits of policy. 3§ '07 ch.147, 8 Mar.
- v N. D. Standard form of life insurance policy. 12§  
'07 ch.140, 19 Mar.
- w N. D. Life insurance policy to contain entire contract. 2§  
'07 ch.155, 19 Mar.
- x Tenn. Life insurance policy to contain entire contract. 2§  
'07 ch.441, 12 Apr.
- y Tenn. Prohibiting misrepresentations of benefits of life insurance policy; penalties. 5§ '07 ch.455, 15 Apr.
- z Tenn. Standard provisions for life insurance policy. 7§  
'07 ch.457, 15 Apr.
- za Wis. Life insurance company or employee not to misrepresent terms or benefits of policy; penalties. Adds S.'98 §1946f. 1§  
'07 ch.126, 22 May

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- Reinsurance. Reserve

- a Ill. Amdg. '99 p.257 §2 rel. to registration of policies: policies must bear certificate that *approved securities equal in value to the legal reserve* have been deposited. 1§ '07 p.361, 20 May
- b Ill. Adding §11 to '99 p.257: companies making deposits and registering policies under the act may cease on Jan. 1, 1908 to deposit reserve on and register policies issued after that date. 1§  
'07 p.362, 20 May
- c Ill. Amdg. '69 p.229 §16: foreign insurance companies to make same deposits required of domestic companies, or file certificate of equivalent deposit in state of origin. 1§ '07 p.363, 20 May
- d Ill. Amdg. '99 p.257 §1, 3, 6 rel. to deposits of reserve of life insurance companies: certificates of deposit of banks, or certificates of purchase of real estate under foreclosure may be deposited; minor amds. 3§ '07 p.360, 23 May
- e Ill. Amdg. '69 p.229 §10 prescribing method of valuation of outstanding policies by the Insurance Supt. 3§ '07 p.371, 23 May
- f Tex. Life insurance company to invest in Tex. securities 75% of reserve for payment of policies in state. 12§ '07 ch.170, 24 Apr.

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### Surplus. Dividends

- a **Minn.** Annual apportionment of surplus of life insurance to policies heretofore issued. 3§ '07 ch.201, 16 Apr.
- b **Mon.** Annual apportionment of surplus of life insurance company; reserve; surrender value; may not be waived by agreement. 6§ '07 ch.79, 4 Mar.
- c **N. J.** Domestic life insurance companies to make annual apportionment and accounting of deferred dividends. 2§ '07 ch.71, 15 Apr.
- d **N. D.** Annual apportionment and accounting of surplus of mutual life insurance company as to policies heretofore issued. 3§ '07 ch.151, 8 Mar.
- e **N. D.** Annual apportionment of surplus of mutual life insurance company; contingency reserve; automatic insurance; contra agreement forbidden. 6§ '07 ch.142, 19 Mar.
- f **S. D.** Annual dividends on life insurance policies heretofore issued on deferred plan. 2§ '07 ch.168, 20 Feb.
- g **Tenn.** Apportionment of dividends of mutual life insurance company every 5 years. 5§ '07 ch.454, 15 Apr.
- h **W. Va.** Annual apportionment of surplus of life insurance companies. 6§ '07 ch.67, 27 Feb.
- i **Wis.** Foreign stock life insurance company to report rights of policy holders and stockholders in unassigned surplus. Adds S.'98 §1847p. 1§ '07 ch.391, 25 June
- j **Wis.** Annual distribution of dividends on participating life insurance policies, heretofore or hereafter issued; report of unapportioned surplus; notice to policy holder of amount apportioned to him. Adds S.'98 §1952a-d. 4§ '07 ch.636, 13 July
- k **Wis.** Annual apportionment of deferred dividend on life insurance policy; report; notice to policy holder. Adds S.'98 §1952f-i. 4§ '07 ch.658, 16 July

1759

### Mutual insurance

- a **Ill.** Amdg. '69 p.229 §14 rel. to manner of computing net value of outstanding policies of mutual companies. 1§ '07 p.353, 23 May
- b **Kan.** Organization and control of mutual life insurance companies. 16§ '07 ch.227, 28 Feb.
- c **Minn.** Prohibiting issuance of nonparticipating policies by mutual life insurance company or stock company issuing participating policies. 2§ '07 ch.161, 12 Apr.
- d **N. Y.** Amdg. insurance law '92 ch.690 §91, 94, 103 rel. to certificate of authority of life insurance agent and election of directors of mutual company. 3§ '07 ch.623, 19 July
- e **N. Y.** Amdg. '06 ch.123 §3 rel. to election of directors of mutual life insurance corp.: *entire* bd. elected *biennially* [half annually]. 1§ '07 ch.625, 19 July
- f **N. D.** Temporary capital for mutual life insurance company; dividends limited to 8%; retirement. 2§ '07 ch.144, 8 Mar.
- g **N. D.** Life insurance company not to issue both participating and nonparticipating policies. 2§ '07 ch.145, 8 Mar.

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- h** N. D. Amdg. R.C.'05 §4440 rel. to domestic insurance company: policy void during nonpayment of premium. 2§ '07 ch.143, 14 Mar.
- i** W. Va. Life insurance company issuing participating policy not to issue nonparticipating policy. 2§ '07 ch.33, 27 Feb.

1760

#### Assessment companies

- a** Ia. Future organization of assmt. life associations prohibited; existing companies may be reincorporated as legal reserve companies. 2§ '07 ch.83, 21 Mar.
- b** Minn. Organization and operation of coöperative and assmt. life and casualty insurance companies. Rep. R.L.'05 §1695, 1698-1702; '05 ch.303. 12§ '07 ch.318, 23 Apr.
- c** Neb. Fees of accident, sickness etc. insurance companies operating on assmt. plan. Adds C.S.'05 ch.43 §164a. 1§ '07 ch.74, 5 Apr.
- d** N. Y. Amdg. insurance law '92 ch.690 §201: assmt. life and casualty companies or societies may designate classes of beneficiaries. 1§ '07 ch.273, 2 May
- e** Wis. Reincorporation of assmt. life insurance company as legal reserve life insurance company. Adds S.'98 §1955y subdiv.1, 2. 3§ '07 ch.447, 27 June

1761

#### Fraternal beneficiary societies

- a** Ill. Fraternal beneficiary societies may establish depts. for providing free medical or hospital service; special fund; adoption of the act; organization and powers. 7§ '07 p.357, 20 May
- b** Ill. Adding §4a to '93 p.130 rel. to fraternal insurance: Insurance Supt. may make examination of affairs of fraternal associations; annual reports. 1§ '07 p.355, 23 May
- c** Ill. Only beneficiary members to be elected delegates or have voice in management of fraternal insurance society. 3§ '07 p.356, 23 May
- d** Ind. Amdg. '99 ch.117 §1, 2 rel. to fraternal beneficiary associations: lodge system and representative form of govt. defined; assmts. 2§ '07 ch.221, 9 Mar.
- e** Ia. Amdg. C. §1794 rel. to foreign insurance companies: applicable to fraternal accident insurance associations. 1§ '07 ch.82, 9 Feb.
- f** Me. Amdg. R.S.'03 ch.49 §148, 158 rel. to fraternal insurance associations. 2§ '07 ch.29, 1 Mar.
- g** Mass. Amdg. R.L. ch.119 §13: fraternal beneficiary corporations insuring for external accidental causes only, need not base rates on National Fraternal Cong. mortality tables. 1§ '07 ch.471, 4 June
- h** Mass. Amdg. R.L. ch.119 §16 rel. to employment of agents by fraternal beneficiary corporations. 1§ '07 ch.472, 4 June
- i** Mich. Amdg. C.L.'97 §7742 rel. to fraternal beneficiary societies: suit may be brought in county where plaintiff resides; service upon Comr. of Insurance only. 1§ '07 ch.175, 18 June
- j** Mich. Consolidation of fraternal beneficiary societies. Adds '93 ch.119 §23-26. 4§ '07 ch.186, 18 June
- k** Mich. Incorp. of mutual benefit societies confined to religious denomination. 7§ '07 ch.318, 28 June

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- n** **Minn.** Fraternal beneficiary associations engaged in life and disability insurance. 32§ '07 ch.345, 23 Apr.
- p** **Minn.** Amdg. R.L.'05 §1703 rel. to beneficiaries of death benefits of beneficial and fraternal association. 1§ '07 ch.382, 24 Apr.
- q** **Neb.** Defining and punishing embezzlement of funds of unincorporated fraternal beneficiary society. 1§ '07 ch.169, 23 Mar.
- r** **Neb.** Fraternal, benevolent and charitable organizations may maintain homes for widows, orphans and aged. 5§ '07 ch.30, 3 Apr.
- s** **Neb.** Amdg. C.S.'05 §2163-64 rel. to incorp. of secret, fraternal, benevolent and charitable orders; copies of charters to be filed. 2§ '07 ch.31, 5 Apr.
- t** **N. J.** Amdg. '93 ch.128 §1 defining fraternal beneficiary associations: not to issue endowments. 2§ '07 ch.188, 13 May
- u** **N. C.** Amdg. Revisal '05 §4795: societies not making insurance contracts, but simply paying burial or other benefits out of treasury, or using funds for orphan asylums and homes for infirm or aged, not to be considered fraternal orders. 1§ '07 ch.936, 11 Mar.
- v** **Wis.** Amdg. S.'98 §1955a rel. to mutual beneficiary and fraternal society: those licensed hereafter to require regular payment of assmts. at rate not lower than deduced from National Fraternal Cong. mortality table with interest at 4%. 1§ '07 ch.511, 9 July
- w** **Wis.** Amdg. S.'98 §1955j: law hereafter passed not to apply to fraternal benefit organizations unless specifically mentioned. 1§ '07 ch.546, 10 July

## 1762 Accident, health and industrial insurance

- a** **Ala.** Incorp. of mutual aid, benefit and industrial companies. 19§ '07 p.730, 9 Aug.
- aa** **Ala.** Amdg. '03 p.135 rel. to mutual aid, benefit or industrial insurance companies. 2§ '07 p.775, 9 Aug.
- ab** **Kan.** Burial insurance companies. 15§ '07 ch.228, 7 Mar.
- ac** **Me.** Amdg. R.S.'03 ch.49 §95 rel. to notice of injury to casualty insurance companies. 1§ '07 ch.170, 27 Mar.
- b** **Mass.** Savings banks may establish life insurance depts. 34§ '07 ch.561, 26 June
- c** **Mich.** Amdg. C.L.'97 §7190, 7193 rel. to life and *casualty* insurance and *surety bonding* companies. 2§ '07 ch.172, 18 June
- d** **Minn.** Amdg. R.L.'05 §1597 subdiv. 5: allowing insurance against loss by sickness or accident of person employed by assured. 1§ '07 ch.388, 24 Apr.
- e** **Neb.** Organization and regulation of burial associations. 13§ '07 ch.28, 3 Apr.
- f** **Neb.** Accident insurance companies: incorp., management, regulation. 14§ '07 ch.75, 8 Apr.
- g** **N. D.** Organization of accident and sickness insurance corporations on assmt. plan. 17§ '07 ch.157, 19 Mar.

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## Fire and other casualty

*See also* 1092, Fires; 1104, Fire limits; 1893, Forest fires; 2603, Fire departments

- a **Kan.** Excess fire insurance in unauthorized companies; statements by brokers; tax. 3§ '07 ch.224, 8 Mar.
- b **Kan.** Amdg. G.S.'01 §3550: surplus of mutual hail insurance company, if under 10%, to be held as reserve; if over 10%, 1/2 [all over 5%] to be prorated back to members. 2§ '07 ch.225, 11 Mar.
- c **Minn.** Amdg. R.L.'05 §1642 rel. to fire insurance: policy may provide for coinsurance where risk over \$20,000. 1§ '07 ch.446, 25 Apr.
- d **Neb.** Amdg. C.S.'05 §3881 rel. to security notes for unpaid capital stock. 2§ '07 ch.69, 5 Apr.
- e **N. H.** Amdg. P.S. ch.169 §2: 50% of unearned premiums on fire risks *running 1 year or less and pro rata amount of same on risks of over 1 year*, to be considered liabilities in case of foreign companies. 1§ '07 ch.10, 20 Feb.
- f **S. D.** Amdg. C.C. §583, 586 rel. to capital stock fire etc. insurance companies: 20% of 1st \$100,000 and 10% thereafter to be in cash; 50% [all] of loans on real estate to be on S. D. property; 50% of capital [all investments] to be deposited with Comr. of Insurance. 3§ '07 ch.171, 7 Mar.

**Agents, see** 1736

**Brokers, see** 1738

**Combinations, see** 1740

**Discrimination, see** 1742

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## Foreign companies

- a **Ari.** Foreign fire insurance company to do business through regularly commissioned agent in territory who shall countersign policies to the end that taxes be collected on premiums; must not do business for unauthorized companies; examination; annual statement; penalties. 9§ '07 ch.82, 21 Mar.
- b **Mon.** Amdg. C.C. §670 rel. to foreign mutual casualty company: to appoint atty. *in fact* in county where agency established. 2§ '07 ch.87, 4 Mar.
- c **Tenn.** Amdg. '95 ch.160 §30 representative of unlicensed fire insurance company may come into state on application of citizen to Insurance Comr. stating his inability to obtain enough insurance in state; fees. 1§ '07 ch.492, 15 Apr.
- d **Tenn.** Amdg. '95 ch.160 §9 subdiv.2: insurance company, other than life, of foreign country to have paid-up cash capital of \$100,000 [\$200,000]. 1§ '07 ch.493, 15 Apr.
- e **Wis.** Amdg. S.'98 §1945e: foreign fire, casualty or surety insurance company not to write policy [on property in Wis.] except through agent authorized by Comr. of Insurance. 1§ '07 ch.432, 27 June

**Investments, see** 1747

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### Liability. Losses

- a **N. C.** Amdg. Revisal '05 §4761: fire insurance company demanding statement as to loss to furnish blanks approved by Insurance Comr. 1§ '07 ch.578, 5 Mar.
- b **N. D.** Amount of insurance on real property to be taken conclusively as true value of property in case of loss. 2§ '07 ch.158, 23 Mar.

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### Policies. Rates

- a **Ia.** Amdg. C. §1743 rel. to removal of goods covered by insurance. 1§ '07 ch.75, 23 Mar.
- b **Ia.** Standard fire insurance policy. 4§ '07 ch.76, 13 Apr.
- c **Mich.** Coinsurance rider clause, to be attached to standard fire insurance policy. 3§ '07 ch.307, 28 June
- d **N. C.** Amdg. Revisal '05 §4759: clause in fire insurance policy requiring production of inventory to adjust loss inoperative where property not subject to change. 1§ '07 ch.800, 8 Mar.
- e **Or.** Uniform fire insurance policy; requirements; penalties. 3§ '07 ch.137, 25 Feb.
- f **S. D.** Amdg. '05 ch.126 §2 rel. to standard form of fire insurance policy: regulations of domestic mutual company to form part of policy if attached thereto. 2§ '07 ch.170, 9 Mar.
- g **Wis.** Amdg. S.'98 §1941 subdiv. 47, 64 rel. to provisions and size of standard fire insurance policy. 2§ '07 ch.525, 9 July

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### Mutual companies

- a **Cal.** Mutual fire insurance companies. 13§ '07 ch.336, 19 Mar.
- b **Ia.** Mutual fire and casualty assmt. associations. Amds. C. §1759, 1762, 1763, 1765, 1767; rep. §1761, 1766. 16§ '07 ch.80, 13 Apr.
- c **Mich.** Incorp. of retail lumber dealers mutual fire insurance associations. 11§ '07 ch.282, 27 June
- d **Minn.** Exempting mutual fire, hail and tornado insurance unincorporated associations, composed of members of same religious denomination, from state insurance laws. 1§ '07 ch.165, 12 Apr.
- e **Mo.** Amdg. R.S.'99 §7958: mutual fire insurance company insuring property of single line of trade may take premium notes; limitations. 1§ '07 p.318, 19 Mar.
- f **Mon.** Incorp. of mutual companies for insurance against fire and elements. 21§ '07 ch.21, 19 Feb.
- g **Neb.** Amdg. C.S.'05 §3978 rel. to city and village mutual companies: size of policies limited by number of members *or number of separate risks*. 2§ '07 ch.73, 30 Mar.
- h **Neb.** Amdg. C.S.'05 §3944, 3953 rel. to insurance of property outside the state by mutual fire, lightning and tornado companies, and creation of reserve fund. 3§ '07 ch.70, 3 Apr.
- i **Neb.** Mutual fire, lightning and tornado insurance companies may deposit securities with State Auditor for protection of policy holders. 6§ '07 ch.71, 8 Apr.
- j **N. D.** Amdg. R.C.'05 §4440 rel. to domestic insurance company: policy void during nonpayment of premium. 2§ '07 ch.143, 14 Mar.

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- k** **Tenn.** Organization and regulation of state mutual fire insurance company. 14§ '07 ch.461, 15 Apr.
- n** **Tenn.** Admission and regulation of mutual fire insurance companies of other states. 11§ '07 ch.462, 15 Apr.
- p** **Wash.** Amdg. '03 ch.97 §2, 3, 7, 10 rel. to mutual fire insurance. 4§ '07 ch.254, 14Mar.
- q** **Wis.** Amdg. S.'98 §1941 subdiv. I rel. to mutual fire and lightning insurance company in city or village. 1§ '07 ch.431, 27 June
- r** **Wis.** Distribution of surplus of mutual fire insurance company in excess of 2% of outstanding risks. 1§ '07 ch.555, 10 July.
- s** **Wy.** Incorp. of mutual fire insurance companies. 20§ '07 ch.53, 16 Feb.

1771

## County companies

- a** **Cal.** Amdg. '97 ch.271 §7, 10-12 rel. to county fire insurance companies: may insure in adjoining county where no mutual company to amount of \$55,000; adjustment of claims by president alone; assmt. for deficiency. 4§ '07 ch.513, 23 Mar.
- b** **Ill.** Amdg. '77 p.123 §11 rel. to county fire insurance companies: adjustment of losses in case of dispute. 1§ '07 p.353, 17 May
- c** **Ill.** Amdg. '87 p.196 §8 rel. to county fire insurance companies: insurance on single risk not over \$6000 [\$4500]; live stock and vehicles taken out of territory of company. 1§ '07 p.354, 24 May
- d** **Tenn.** Domestic county mutual fire insurance companies on assmt. plan. Rep. '95 ch.220. 20§ '07 ch.463, 15 Apr.

1772

## Township companies

- a** **Minn.** Amdg. R.L.'05 §1665 rel. to termination of membership in town mutual insurance company. 1§ '07 ch.209, 15 Apr.
- b** **Wis.** Amdg. S.'98 §1927 rel. to organization of town mutual fire insurance company. 1§ '07 ch.439, 27 June
- c** **Wis.** Amdg. S.'98 §1931 rel. to town mutual fire insurance company: special risks. 1§ '07 ch.442, 27 June
- d** **Wis.** Amdg. S.'98 §1935 rel. to town mutual fire insurance company: mortgage of property of member to be notified of assmt.; no payment of loss on policy of member in arrears. 1§ '07 ch.457, 29 June

1773

## Miscellaneous casualty

- a** **Mich.** Amdg. '05 ch.154 §2: prohibition against insuring for loss by wind or water in fire insurance policy removed. 1§ '07 ch.171, 18 June
- b** **Mich.** Incorp. of mutual companies for insuring threshing etc. machinery, huskers, portable engines, motor saw and feed mills. 15§ '07 ch.176, 18 June
- c** **N. Y.** Amdg. insurance law '92 ch.690 §70, 110, 150: authorizing insurance against damage to automobile or legal liability resulting from collision. 3§ '07 ch.206, 25 Apr.
- d** **N. Y.** Amdg. insurance law '92 ch.690 §110: incorp. of company to insure against loss by earthquakes authorized. 1§ '07 ch.503, 15 June



## INSURANCE

1777

### Boilers

- a **Me.** Amdg. R.S.'03 ch.49 §96 rel. to licensing insurance agents: boiler insurance companies omitted. 1§ '07 ch.5, 12 Feb.

1781

### Burglary. Loss in transportation

- a **Ind.** Authorizing formation of associations for apprehending horse thieves and other felons and for mutual indemnity against acts of same. 10§ '07 ch.144, 9 Mar.

1787

### Hail and cyclone

- a **Ind.** Farmers mutual insurance companies against loss from hail, windstorms and cyclones. 2§ '07 ch.63, 26 Feb.  
b **Mich.** Amdt. of charter of mutual cyclone insurance company. Adds '85 ch.6 §9. 1§ '07 ch.131, 12 June  
c **Minn.** Submitting amdt. to Const. 1857 art.9 adding new §: state insurance for loss to crops from hail and cyclone; tax on land listed by owners; fund; action by Legis. authorized. 2§ '07 ch.479, 25 Apr.  
d **Minn.** Amdg. R.L.'05 §1669, 1672-74 rel. to hail and tornado insurance. 4§ '07 ch.471, 26 Apr.  
e **Mon.** Foreign mutual hail and cyclone insurance companies may do business in state; conditions. 3§ '07 ch.180, 9 Mar.  
f **N. D.** Amdg. R.C.'05 §4449: domestic mutual hail insurance company may file bond in lieu of \$25,000 deposit with Insurance Comr. 1§ '07 ch.153, 14 Mar.

1789

### Live stock

- a **Ala.** Formation of live stock insurance companies. 4§ '07 p.472, 12 Mar.  
b **Ark.** Mutual live stock insurance companies. 8§ '07 ch.400, 28 May  
c **Cal.** Life, health and accident insurance of live stock on assmt. plan; conduct of business. 13§ '07 ch.518, 23 Mar.  
d **Ind.** Amdg. '93 ch.94 §3, 4, 10, 14, 15, 17 rel. to live stock insurance companies. 7§ '07 ch.199, 9 Mar.  
e **Neb.** Foreign live stock insurance companies may do business in Neb. 1§ '07 ch.72, 8 Apr.  
f **S. D.** Authorizing companies to insure live stock. 9§ '07 ch.172, 11 Mar.

1795

### Surety and guaranty companies

*See also 1698, Trust companies*

- a **Cal.** Insurance Comr. to furnish county clerks with list of surety companies authorized to do business. Adds §625a to P.C. 1§ '07 ch.523, 23 Mar.  
b **Del.** Prohibiting discrimination by surety company; penalty. 2§ '07 ch.165, 23 Apr.  
c **Id.** Amdg. '01 p.26 §1: president or sec. of trust etc. company may take oath for corp. as trustee etc. 2§ '07 p.545, 16 Mar.  
d **Ind.** Amdg. '01 ch.50 §14: surety companies may declare dividends. *semiannually* [annually]. 1§ '07 ch.54, 25 Feb.

1795

- c** **Me.** Insurance Comr. to transmit to registers of probate list of surety companies qualified or ceased to be qualified to do business in state. 1§ '07 ch.1, 31 Jan.
- f** **Mich.** Amdg. C.L.'97 §7190, 7193 rel. to life *and* *casualty* insurance *and* *surety bonding* companies. 2§ '07 ch.172, 18 June
- g** **Mich.** Amdg. C.L.'97 §7193: capital of surety bonding corp. \$250,000 to \$1,000,000; \$200,000 of security to be deposited with State Treasurer. 1§ '07 ch.174, 18 June
- h** **Mo.** Amdg. R.S.'99 §5187: contractor for county bridge may give surety company bond. 1§ '07 p.400, 20 Mar.
- i** **N. Y.** Amdg. insurance law '92 ch.690 §16: surety company may invest funds in stock of surety company doing business wholly without U. S. 1§ '07 ch.239, 29 Apr.
- j** **Pa.** Where employee is bonded by surety company county, municipality or school district may pay premium. 1§ '07 ch.173, 23 May
- k** **Wash.** Organization of surety company. 10§ '07 ch.202, 15 Mar.
- n** **Wis.** Amdg. S.'98 §1945e: foreign fire, casualty or surety company not to write policy [on property herein] except through agent authorized by Comr. of Insurance. 1§ '07 ch.432, 27 June
- p** **Wy.** Unlawful to require employee to give surety bond in company not authorized to do business in state; such bonds void; penalty. 3§ '07 ch.74, 20 Feb.

1797

#### Credit and title insurance

- a** **Ind.** Amdg. '01 ch.127 §18 rel. to organization of voluntary associations to insure titles *or* make abstracts, loans, etc. 1§ '07 ch.128, 8 Mar.
- b** **N. Y.** Amdg. gen. corp. law '90 ch.563 §6: title companies required to be organized under insurance law. 1§ '07 ch.115, 3 Apr.
- c** **Pa.** Title insurance companies with capital of \$125,000 may guarantee payment of principal and interest of bonds secured by mortgage. 1§ '07 ch.275, 1 June
- d** **Pa.** Assmt. of 5 mills on shares of title insurance companies. 2§ '07 ch.512, 13 June

1800

## Navigation. Waterways

*See also* 1139, Steamboats (safety); 1384, Canals; 1388, Ferries and fords; 1393, Bridges

- a** **Cal.** Amdg. Pen.C. §608: *msdr.* [6 months or \$500] to injure or set adrift raft *or* vessel under 10 tons *or* injure vessel over 10 tons; felony to set adrift vessel over 10 tons. Adds §608a-c. 4§ '07 ch.469, 22 Mar.
- b** **N. Y.** Supt. of Public Works may prescribe rules for craft at regattas held in waters not under jurisdiction of U. S.; steamboat inspectors to be detailed at expense of regatta association; penalty. Adds §34a to navigation law '97 ch.592. 1§ '07 ch.197, 22 Apr.
- c** **Pa.** Establishing Bd. of Commissioners of Navigation for Delaware River; 5 members from cities of Philadelphia, Bristol and Chester; jurisdiction over vessels, docks, bulkheads and basins. 17§ '07 ch.322, 8 June

## NAVIGATION WATERWAYS

1800

- d **Pa.** Abolishing Bd. of Port Wardens for port of Philadelphia, Harbor Master and Master Warden, and transferring property of same to Comrs. of Navigation for River Delaware. 3§ '07 ch.323, 8 June
- e **Wis.** Creating Waterways Comr.: appointed by Gov., term 3 years; salary and qualifications same as Railroad Comr.; to have powers rel. to navigation formerly conferred on Railroad Comm. Adds S.'98 §1797m-v. 10§ '07 ch.429, 27 June

1803

### Harbors

- a **Cal.** Legis. committee of 6 to investigate condition of harbors; to recommend legislation at next session. '07 p.1360, 14 Mar.
- b **Mass.** Dumping in tide waters to be under supervision of Bd. of Harbor and Land Comrs.; scows to be accompanied by inspectors; cost to be paid by owners of dredges and scows; regulations. 6§ '07 ch.229, 20 Mar.
- c **Or.** Incorporating Port of Columbia to promote shipping and commercial interests; towage service; compulsory pilotage; bond issue, \$400,000; special tax levy; Bd. of Comrs. of 5 appointed by Gov., vacancies to be filled by Legis. Rep. Ann. C.&S. §3991-4029. 23§ '07 ch.113, 23 Feb.

Unconst. Special law creating mun. corp.

Farrell v. Port of Columbia 91 P. 546 (1907)

- d **R. I.** Harbor Comrs. may appoint sec. who may be one of bd.; salary \$3000. 1§ '07 ch.1452, 19 Apr.

1804

### *Wharves. Docks. Piers. Wharf lines*

- a **Me.** Towns may lay out public buildings. 1§ '07 ch.87, 20 Mar.
- b **Mass.** Bd. of Harbor and Land Comrs. to investigate and report at next session rel. to metropolitan system of docks for Boston to be owned by state or city. '07 r.93, 28 May
- c **N. J.** City may acquire riparian rights and construct docks; bond issue; referendum. 8§ '07 ch.272, 21 Oct.
- d **N. Y.** Village may authorize by election bond issue for constructing and maintaining public docks or bulkheads. Adds subdiv.12 to village law '07 ch.414 §128. 1§ '07 ch.59, 20 Mar.
- e **N. Y.** Amdg. county law '92 ch.686 §69: Bd. of Supervisors may authorize town pursuant to election at *biennial* [annual] meeting to borrow money for construction of highways, bridges, *docks or bulkheads*. 1§ '07 ch.81, 27 Mar.
- f **Wash.** Establishment of harbor lines and areas in front of municipality by Harbor Line Comm.; purchase and lease. 5§ '07 ch.251, 19 Mar.
- g **Wis.** Amdg. S.'98 §959 subdiv.76-77 rel. to construction of breakwaters by counties, towns, villages and cities. 2§ '07 ch.59, 29 Apr.

1805

### Improvement of waterways (general)

*See also 2676. Sewerage*

- a **Ark.** Indorsing proposition of National Rivers and Harbors Cong. for annual appropriation by U. S. of \$50,000,000 for improvement of waterways. 3§ '07 p.1268, 2 Feb.

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1805

- b **Kan.** Urging Cong. to provide for improvement of Mississippi, Missouri and Kansas rivers. '07 ch.438, 11 Feb.
- c **La.** Declaring unconst. '68 ch.59 creating debt for improvement of navigation of Red river. Means not provided for payment of principal and interest. *Durbridge v. State* 42 S. 337 (1906)
- d **Or.** Joint legis. committee of 6 to confer with like committees from Wash. and Id. as to necessary legislation for keeping open navigation of Columbia and Snake rivers. '07 p.522, 30 Jan.
- e **Wash.** County comrs. may make 1 mill levy for improvement of streams. 4§ '07 ch.66, 4 Mar.
- f **Wash.** County may establish assmt. district for river, lake, canal or harbor improvements. 18§ '07 ch.236, 18 Mar.

1808

## Water level

- a **Minn.** County containing navigable lake may expend \$300 annually to maintain water level. 1§ '07 ch.104, 4 Apr.

1809

## Lights

- a **N. J.** Amdg. '06 ch.91 §11 ¶4: vessels other than power boats to carry at night white light visible from all sides. 1§ '07 ch.80, 16 Apr.
- b **Vt.** Power boats to carry light at night; penalty \$10 to \$50; liable for damages. 2§ '06 ch.180, 10 Dec.

1812

## Obstructions

- a **Kan.** County comrs. to have jurisdiction over nonnavigable streams, for removal of obstructions. Adoptive. 3§ '07 ch.164, 9 Mar.
- b **Pa.** Prohibiting erection of dams, walls, piers etc. in navigable streams without approval of Water Supply Comm. 2§ '07 ch.226, 28 May

1815

## Protection of aids to navigation

- a **N. H.** Amdg. P.S. ch.266 §30: fastening vessel to buoy or light for protection of navigation prohibited; penalty. 1§ '07 ch.23, 20 Feb.

1816

## Pilotage. Towage. License of pilots

- a **Ala.** Compulsory pilotage vessels, unless engaged in American coastwise trade, crossing outer bar of Mobile bay. 3§ '07 p.521, 27 July
- b **N. C.** Establishing Bd. of Comrs. of Navigation and Pilotage for Cape Fear River; 5 members appointed by Gov. for 4 years; to appoint Harbor Master annually and license pilots; regulations as to pilotage. 18§ '07 ch.625, 6 Mar.
- c **Pa.** Generally amdg. 1803 ch.156 §4, 17-19, 21, 26, 29, 31, 33-34, 36 rel. to pilots and pilotage in port of Philadelphia. 14§ '07 ch.317, 8 June

1818

## Public waters

- a **Ark.** Giving riparian owners exclusive right to remove sand from bed of Mississippi river. 2§ '07 ch.348, 22 May

## AGRICULTURE

1820

### Wrecks

- a N. C. Amdg. Revisal '05 §5440 rel. to appointment of comrs. of wrecks: *whenever necessary* [every 2 years]. 2§ '07 ch.398, 25 Feb.
- b S. C. Sale of drift water craft or lumber to be advertised in newspaper; penalty. 1§ '07 ch.251, 15 Feb.

1826

### Agriculture

*See also* 956, 1466, Adulteration; 1144, Communicable diseases of animals; 1427, Agricultural products (weights and measures); 1474, Fertilizers; 1588, Veterinary practice; 2343, Agricultural schools

- a Ala. \$4000 per year to be appropriated from proceeds of fertilizer tag tax for use of Dept. of Agric. and Industries in analyzing fertilizers, holding farmers institutes and executing laws. 3§  
'07 p.751, 9 Aug.
- aa Ala. Salary of assistant clerk of Comr. of Agric. and Industries, \$1500. 4§ '07 p.774, 9 Aug.
- ab Ala. Amdg. C. '96 §393 rel. to chemist of Dept. of Agric. 1§  
'07 p.642, 13 Aug.
- ac Col. Amdg. Ann. S.'91 §59, 86: State Bd. of Agric. to elect vice president and treasurer; latter to handle all agric. funds. 2§  
'07 ch.222, 3 Apr.
- b Col. State Agric. College to investigate animal industries, improvement of crops and fruits, establish farmers institutes, experiment with farm and road machinery; \$45,000. 12§ '07 ch.76, 15 Apr.
- c Ill. Amdg. '83 p.1 §3, 6, 8 rel. to accounts and reports of State Bd. of Agric. 3§ '07 p.5, 3 June
- d Kan. Bd. of Regents of State Agric. College may import seed wheat as agents for farmers of Kan. 7§ '07 ch.389, 9 Mar.
- e Mass. Salary of Gen. Agent of Dairy Bureau of Bd. of Agric. \$1800. 1§ '07 ch.401, 9 May
- f Mich. Amdg. '01 ch.232 §1: Bd. of Agric. to experiment with breeding live stock and make examinations of soils of state. 1§  
'07 ch.266, 27 June
- g Mo. Amdg. R.S.'99 §4700: salary of sec. of State Bd. of Agric. \$2500 [\$1200]. 1§ '07 p.63, 22 Mar.
- h N. C. Amdg. Revisal '05 §3931: Comr. of Agric. and members of bd. to be practical farmers engaged in profession. 1§  
'07 ch.497, 2 Mar.
- i N. C. Amdg. Revisal '05 §3713, 3936-37, 3944, 3961 rel. to Dept. of Agric. 5§ '07 ch.876, 11 Mar.
- j N. C. Amdg. Revisal '05 §2749: Bd. of Agric. to fix salary of comr. [not to exceed \$2100]. 1§ '07 ch.887, 11 Mar.
- k Pa. Amdg. '95 ch.8 §4: certain clerks in Dept. of Agric. to be appointed by sec. *and heads of divisions* [Gov.]. 1§ '07 ch.297, 7 June
- n S. D. Creating State Bd. of Agric.; 5 members, appointed by Gov. for 2 years; \$3 per diem; sec. appointed by Gov. for 2 years, salary \$1500, ex officio Comr. of Immigration; duties; annual report to Gov. Rep. P.C. §158-70. 21§ '07 ch.76, 9 Mar.

1826

- p **Tex.** Creating Comr. of Agric.; elected for 2 years, salary \$2500; duties; annual report to Gov.; Dept. of Agric., Insurance, Statistics and History to be known as Dept. of Insurance and Banking, certain duties being transferred to Comr. of Agric. 17§  
'07 ch.59, 4 Apr.
- q **Tex.** Submitting amdt. to Const. 1876 adding art.4 §27: Legis. to provide for office of Comr. of Agric. 2§. Rejected Aug. 1907.  
'07 p.414
- r **Wis.** Amdg. S.'98 §1410d rel. to duties of Dairy and Food Comr. and assistants. 1§  
'07 ch.206, 12 June

1828

### Experiment stations

*See also 2343, Agricultural schools*

- a **Ala.** Assenting to congressional grant for agric. experiment station; Ala. Polytechnic Institute designated. 1§ '07 p.475, 13 July
- aa **Ari.** Assenting to congressional act of Mar. 16, 1906 providing for further endowment of agric. experiment stations, for printing experiment station bulletins, and for maintenance and inspection of date palms at Tempe and Yuma; appropriating \$5600. 3§ '07 ch.30, 14 Mar.
- b **Ark.** Assenting to congressional grant of money for agric. experiment station. 1§  
'07 p.1265, 29 May
- c **Cal.** Gov. to have investigation made under supervision of director of agric. experiment station at University of Cal. of feasibility of raising tobacco in state; \$1000. 3§  
'07 ch.153, 8 Mar.
- d **Cal.** Gov. to have agric. experiment station at University of Cal. investigate methods of cereal culture to better same in state; results to be published from time to time; \$10,000. 3§  
'07 ch.175, 11 Mar.
- e **Col.** Accepting congressional grant for agric. experiment station; State Agric. College beneficiary. 2§  
'07 ch.132, 3 Apr.
- f **Col.** Transferring 10% of proceeds of land fund of State Agric. College to college fund to purchase experimental farms. 4§  
'07 ch.221, 3 Apr.
- g **Ct.** Accepting congressional grant for agric. experiment station. 2§  
'07 special acts ch.145, 1 May
- h **Del.** Accepting congressional grant for agric. experiment station; Del. College designated recipient. 1§  
'07 ch.259, 5 Mar.
- i **Del.** Creating comn. of 9 to establish agric. experiment station in connection with Del. College; \$20,000. 10§  
'07 ch.50, 29 Mar.
- j **Fla.** Accepting congressional appropriation for agric. experiment station; State University recipient. 1§  
'07 ch.109, 3 June
- k **Id.** Accepting congressional grant for agric. experiment station. 1§  
'07 p.22, 15 Feb.
- n **Ind.** Accepting congressional grant of money to agric. experiment stations on behalf of Purdue University. 1§ '07 ch.300, 12 Mar.
- p **Kan.** County comrs. may purchase site for agric. experiment station; tax. 1§  
'07 ch.142, 8 Feb.
- q **Kan.** Accepting federal appropriation for agric. experiment stations, and placing it under control of State Agric. College. 1§  
'07 ch.433, 7 Mar.

# AGRICULTURE

1828

- r Me.** Assenting to grant of U. S. govt. for agric. experiment station and assigning same to University of Me. 1§ '07 ch.39, 6 Mar.
- s Mass.** Name of Hatch Experiment Station changed to Mass. Agric. Experiment Station. 1§ '07 ch.66, 5 Feb.
- t Minn.** Assenting to U. S. grant for agric. experiment stations. 1§ '07 ch.101, 4 Apr.
- u Mo.** County Court may establish agric. experiment station. 6§ '07 p.206, 18 Mar.
- v Mo.** Assenting to congressional grant for experiment stations. '07 p.455
- w Mon.** Assenting to federal grant for agric. experiment station; station at Bozeman designated. 2§ '07 ch.64, 2 Mar.
- x Mon.** Authorizing sale of all land acquired for experiment station at Billings as provided by '03 ch.118. 2§ '07 ch.188, 9 Mar.
- y Mon.** Establishing agric. subexperimental station in Fergus county; \$2000. 4§ '07 ch.189
- z Neb.** Accepting appropriation by Cong. for agric. experiment station. 2§ '07 ch.149, 6 Apr.
- za Nev.** Changes in management of State Agric. Experiment Farm. 4§ '07 ch.27, 28 Feb.
- zb Nev.** Assenting to congressional grant for agric. experiment station; Experiment Station of Nev. designated. 4§ '07 ch.209, 29 Mar.
- zc N. M.** Assenting to congressional grant of money for agric. experiment stations. 1§ '07 ch.13, 7 Mar.
- zd N. C.** Accepting congressional appropriation for agric. experiment station. 1§ '07 ch.793, 8 Mar.
- ze N. D.** Annual appropriation of \$7500 for governmental experiment station at Fargo for specified purposes. 1§ '07 ch.123, 5 Mar.
- zf N. D.** Biennial reports to president of Agric. College of supts. of subexperiment stations. 1§ '07 ch.121, 12 Mar.
- zg N. D.** Establishing irrigation and dry farming experiment station near Williston; \$4000. 3§ '07 ch.122, 13 Mar.
- zh N. D.** Establishing agric. and grass experiment station in connection with N. D. Agric. College; \$10,000. 3§ '07 ch.120, 19 Mar.
- zi Pa.** Designating Pa. State College to receive congressional appropriation for agric. experiment stations. 2§ '07 ch.153, 8 May
- zj S. D.** Bd. of Regents to select from common school endowment or indemnity lands 3 sections in certain counties and establish farms for experiment in dry farming. 2§ '07 ch.229, 7 Mar.
- zk S. D.** Placing under Bd. of Regents remainder of educational and charitable lands for support of substations for experiments in agric. 2§ '07 ch.230, 7 Mar.
- zn Tenn.** To establish agric. and horticultural experiment station and model farm in west Tenn. under supervision of State University; \$30,000. 8§ '07 ch.86, 12 Feb.
- zp Tenn.** Assenting to congressional appropriation for agric. experiment station; University of Tenn. designated. 2§ '07 ch.350, 11 Apr.
- zq Tex.** Accepting federal grant for agric. experiment station. '07 p.433

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1828

- zr U. Accepting U. S. grant for agric. experiment station; Agric. College designated as recipient. 2§ '07 ch.27, 11 Mar.
- zs U. Experiment Station to conduct experiments in arid land farming; annual report; distribution; \$5000. Rep. '06 ch.41. 8§ '07 ch.116, 14 Mar.
- zt Wash. Assenting to congressional grant for experiment stations; station at Pullman designated as beneficiary. 3§ '07 ch.198, 15 Mar.
- zu Wis. Amdg. '03 ch.157 to be S.'98 §1494m: annual appropriation for agric. experiment association \$2000 [\$1000]; report. 1§ '07 ch.43, 12 Apr.
- zv Wis. Assenting to federal grant for agric. experiment station; University of Wis. designated recipient. '07 p.1276
- zw Wy. Designating University of Wy. to receive congressional grant for agric. experiment stations. 2§ '07 ch.96, 21 Feb.

1829

## Farmers institutes. Reading courses. Lectures

- a Cal. University of Cal. may hold farmers institutes; \$12,000. 3§ '07 ch.136, 8 Mar.
- b Ind. Farmers institutes to receive not to exceed \$100 from county for expenses. Supplements '89 ch.134. 7§ '07 ch.117, 8 Mar.
- c Wis. Amdg. S.'98 §486c rel. to placing farmers institute bulletins in public schools. 1§ '07 ch.66, 30 Apr.
- d Wis. Amdg. S.'98 §1494b: Regents *shall* [may] hold farmers institutes; cost not to exceed \$20,000 [\$12,000]. 1§ '07 ch.318, 21 June
- e Wy. Counties may expend annually \$100 for farmers institute under supervision of University of Wy. 4§ '07 ch.77, 20 Feb.

1830

## Naming farms

- a Mo. Registration of farm names with county clerk. 1§ '07 p.274, 19 Mar.

1832

## Statistics. Weather and crop service

- a Ala. Comr. of Agric. and Industries to appoint soil surveyors with approval of Gov.; to investigate soil conditions with view to betterment of crops; report to Gov.; maps; to attend agric. meetings and school and lecture on soils; to coöperate with U. S.; \$10,000 annually. 5§ '07 p.587, 13 Aug.
- b Ala. Creating Ala. Bureau of Cotton Statistics under Dept. of Agric. and Industries to collect statistics of amount of cotton ginned and warehoused. 8§ '07 p.741, 13 Aug.
- c N. Y. Amdg. C.C.P. §944: records of weather taken at meteorological observatory of city of New York to be received in evidence. 1§ '07 ch.252, 30 Apr.
- d N. D. Rep. R.C.'05 §395-99: State Weather Bureau abolished. 1§ '07 ch.272, 7 Mar.
- e N. D. Elevators, warehouses and station agents to report annually to Comr. of Agric. and Labor amount of grain handled. 3§ '07 ch.111, 19 Mar.



## AGRICULTURE

1832

- f **Wis.** Amdg. S.'98 §1010 rel. to report of assessor of town, *village or city* as to certain farm products. 1§ '07 ch.38, 10 Apr.

1835

### Associations. Fairs

- a **Ct.** State Bd. of Agric. to make special biennial report rel. to agric. fairs; 2000 copies. 1§ '07 ch.203, 11 July
- b **Ill.** Amdg. '83 p.5 §7 rel. to State Bd. of Agric.: county fairs to receive from state 40 per cent of premiums; annual appropriation of \$60,000. 2§ '07 p.10, 26 Apr.
- c **Ind.** Incorpor. and aid of corn growers', of live stock breeders' and of dairymen's associations; \$500 each annually. 3§ '07 ch.264, 12 Mar.
- d **Ia.** Amdg. C. §1660: bd. of supervisors may purchase real property in excess of \$1000 for use of county fair; referendum. Adds C. §422 subdiv. 24. 2§ '07 ch.17, 27 Mar.
- e **Me.** Amdg. R.S.'03 ch.60 §14: annual appropriation for agric. societies not to exceed 2c [1¼c] per capita. 1§ '07 ch.45, 6 Mar.
- f **Me.** Amdg. R.S. ch.60 §17 rel. to use of score card by agric. societies in judging dairy products. 1§ '07 r.162, 26 Mar.
- g **Mass.** Amdg. R.L. ch.124 §6 rel. to real estate of incorporated agric. societies. 1§ '07 ch.189, 12 Mar.
- h **Mo.** Amdg. R.S.'99 §4715: County Court may appropriate \$100 [\$150] for premiums to agric. society. 1§ '07 p.208, 22 Mar.
- i **N. D.** Sec. of fair association to file with Comr. of Agric. and Labor list of dates claimed before May 1; penalty. 2§ '07 ch.125, 8 Mar.
- j **N. D.** Amdg. R.C.'05 §4608-9 rel. to agric. fair corp.: limit of debt; sinking fund. 3§ '07 ch.126, 14 Mar.
- k **S. D.** County fairs to be paid 40% of premiums for exhibit, not to exceed \$400 annually, by county; conditions; meetings of corp. 3§ '07 ch.107, 5 Mar.
- n **Tenn.** Counties may appropriate money for exhibits at state and county fairs. 1§ '07 ch.513, 15 Apr.
- p **Wis.** Amdg. S.'98 §1463 rel. to time of payment of state aid to agric. fairs: within 30 [10] days after Feb. 1. 1§ '07 ch.106, 15 May
- q **Wis.** Amdg. S.'98 §669 subdiv. 9 rel. to county aid for agric. society. 1§ '07 ch.202, 12 June
- r **Wis.** Amdg. S.'98 §1463 rel. to state aid to agric. fairs. 1§ '07 ch.320, 21 June
- s **Wis.** Annual appropriation of \$300 for Wis. Tobacco Growers and Dealers Association. Adds S.'98 §1465. 1§ '07 ch.410, 26 June
- t **Wy.** County comrs. may appropriate \$500 for county fair on petition of 50 electors. 1§ '07 ch.42, 15 Feb.

1836

### Dairymen's associations

- a **Wis.** Amdg. '03 ch.261 §1 to be S.'98 §1459c: annual appropriation of \$600 [\$500] for Wis. Butter Makers Association. 1§ '07 ch.461, 1 July

1838

**Horticultural societies**

- a **S. D.** Amdg. '03 ch.215 §8 rel. to publication of report of State Horticultural Society: 500 [1000] copies in cloth; 1500 in paper. 2§  
'07 ch.164, 7 Mar.
- b **Wis.** Amdg. S.'98 §1459: annual appropriation for State Horticultural Society \$8000 [\$4400], 1/2 [\$250] for trial orchards [experiment stations]. 1§  
'07 ch.408, 25 June

1839

**Poultry associations**

- a **Ct.** Annual appropriation of \$1000 to aid Ct. Poultrymen's Association to hold institutes and issue bulletins. 1§ '07 ch.229, 27 July
- b **Mo.** Amdg. R.S.'99 §4707-8: Mo. State Poultry Association created state bd.; 7 members appointed by Gov., term 2 years; annual report. Adds §4708a-d. 6§  
'07 p.64, 7 Mar.
- c **N. D.** Annual appropriation of \$300 for N.D. Poultry Association for premiums. 4§  
'07 ch.184, 13 Mar.

1840

**State associations and fairs**

- a **Ari.** Amdg. '05 ch.64 §5: annual appropriation for Territorial Fair \$15,000 [\$7500]. 1§  
'07 ch.86, 21 Mar.
- b **Ind.** State Bd. of Agric. may erect live stock show pavilion at State Fair Grounds and issue \$100,000 in bonds for cost of same. 2§  
'07 ch.27, 21 Feb.
- c **Minn.** County with 40% of land uncultivated may make appropriation for exhibit at State Fair. 4§  
'07 ch.99, 4 Apr.
- d **Mon.** Amdg. '03 ch.96 §9, 13 rel. to salaries and duties of sec. and treasurer of State Fair. 3§  
'07 ch.158, 7 Mar.
- e **Mon.** County comrs. may appropriate \$1000 per year for exhibit at State Fair. 2§  
'07 ch.165, 8 Mar.
- f **Neb.** Permanent building on State Fair Grounds; \$20,000. 3§  
'07 ch.177, 10 Apr.
- g **U.** Amdg. R.S.'98 §2120-29 rel. to Deseret Agric. and Manufacturing Society: name changed to Utah State Fair Association. 10§  
'07 ch.132, 23 Mar.
- h **Vt.** Creating State Fair Comn. to hold annual fair; \$1000 annual appropriation. 6§  
'06 ch.220, 19 Dec.

1844

**Horticulture. Diseases and pests**

See also 1492, Insecticides; 1496, Seeds; 1630, Encouragement of industries; 2383, Biology

- a **Cal.** Amdg. '97 ch.183 §1: term of local horticultural comr. 2 years. 1§  
'07 ch.89, 6 Mar.
- b **Cal.** Msdr. to sell fruit trees of kind other than represented; prosecutions may be brought within 7 years. 3§  
'07 ch.226, 15 Mar.
- c **Cal.** Comr. of Horticulture to investigate propagation and distribution of beneficial insects; \$12,000. 3§  
'07 ch.332, 19 Mar.
- d **Cal.** Incorporating in P.C.'03 ch.379 rel. to Comr. of Horticulture. Adds §2319, 2319a-j. 11§  
'07 ch.436, 21 Mar.

1844

- e **Cal.** Incorporating in P.C.'97 ch.183 rel. to county bds. of horticulture. Adds §2322, 2322a-e. 6§ '07 ch.437, 21 Mar.
- f **Col.** Entomologist of Agric. College created State Entomologist; salary \$500; assistants; county inspectors; to prevent importation and spread of injurious insects and plant diseases; sale of insecticides regulated. Rep.'97 ch.55. 13§ '07 ch.191, 9 Apr.
- g **Id.** Amdg. '03 p.348 §1: election of officers of State Bd. of Horticultural Inspection; sale of diseased fruit and nursery stock prohibited; inspectors; penalties. Adds §21-25. 6§ '07 p.448, 13 Mar.
- h **Ill.** Inspection of nursery stock, of nurseries and orchards by State Entomologist. Rep.'99 p.49. 7§ '07 p.538, 4 June
- i **Ind.** Gov. to appoint Entomologist, for 4 years, salary \$1500; to eradicate insect pests; nursery inspection; shipments of nursery stock to bear certificate of State Entomologist as to freedom from pests; penalties; \$3500. 11§ '07 ch.177, 9 Mar.
- j **Kan.** Creating a State Entomological Comn.; powers; inspection of nursery stock; \$1000. 12§ '07 ch.386, 1 Mar.
- k **Me.** To protect trees and shrubs from insects and diseases; State Entomologist to enforce; \$60,000. 15§ '07 ch.15, 15 Feb.
- n **Mass.** Additional deputy nursery inspectors; inspection of nursery stock imported; destruction of pests. Amds. '02 ch.495 §1, 5, 7; adds §8-13. 9§ '07 ch.321, 22 Apr.
- p **Minn.** Regents with approval of State Horticultural Society to purchase fruit breeding farm for State University; \$16,000. 4§ '07 ch.334, 23 Apr.
- q **Mo.** Creating State Bd. of Horticulture to consist of 1 trustee from each of 6 designated districts; appointed by Gov. for 4 years; bipartisan; annual report to Gov. Rep. R.S.'99 §4705-6. 10§ '07 p.301, 7 Mar.
- r **Mon.** State Bd. of Horticulture may quarantine infected orchard; expense of eradication tax on premises. 5§ '07 ch.67, 2 Mar.
- s **Mon.** Amdg. '03 ch.59: assistant to State Entomologist provided. 5§ '07 ch.103, 5 Mar.
- t **Mon.** Mon. Agric. College may establish substation for experiments in horticulture; \$1000. 3§ '07 ch.146, 7 Mar.
- u **Neb.** Establishing bureau for investigation and extermination of insect pests and plant diseases; under State Entomologist and Botanist of Experiment Station, who is created State Botanist. 4§ '07 ch.150, 10 Apr.
- v **Or.** Nursery stock of variety different from that ordered, to be replaced; compensation for loss. 1§ '07 ch.57, 19 Feb.
- w **Or.** Amdg. '05 ch.222 §3 and Ann. C. & S. §4185: expenses of fruit inspector; inspection of nursery stock imported from without state. 2§ '07 ch.58, 19 Feb.
- x **Pa.** Amdg. '05 ch.60 §8: Economic Geologist may disseminate knowledge of beneficial and obnoxious insects, as to propagation of former and destruction of latter; \$80,000. 2§ '07 ch.73, 15 Apr.
- y **S. D.** Nurseries to obtain permit from Bd. of Agric.; inspection by entomologist; bond of \$5000 to insure against loss; fees; penalty. 6§ '07 ch.194, 2 Mar.

1844

- z** **Tex.** Msdr. to misrepresent product of nursery; statute of limitations not to run till discovery of fraud. 3§ '07 ch.160, 23 Apr.
- za** **U.** Amdg. '05 ch.98 rel. to State Bd. of Horticulture. 24§  
'07 ch.67, 14 Mar.
- zb** **Vt.** Amdg. '04 ch.15 §4 rel. to financial report of Vt. State Horticultural Society. 1§ '06 ch.14, 13 Nov.
- zc** **Wash.** Declaring unconst. '03 ch.133 so far as it provides for appointment of county fruit inspector. County officers must be elected. State ex rel. Egbert v. Blumberg 89 P. 708 (1907)
- zd** **Wash.** Creating Comr. of Horticulture; appointed by Gov., term 4 years, salary \$2000; to eradicate plant diseases and insect pests; deputies; county inspectors. 38§ '07 ch.162, 13 Mar.
- ze** **W. Va.** Amdg. '01 ch.33 §2, 3: director of Experiment Station to examine trees etc. imported from other states; to make annual inspection of orchards etc. in state; penalties. 2§ '07 ch.72, 24 Feb.
- zf** **Wis.** Msdr. to sell nursery stock under false designation; certificates; labels; tests of stock bought in open market to be published by Agric. Experiment Station. Adds S.'98 §1494 subdiv.11m-p. 4§  
'07 ch.465, 1 July
- zg** **Wis.** Amdg. '99 ch.180 to be S.'98 §1494 subdiv.1-10 rel. to prevention of injurious insect and fungus diseases of trees etc. 10§  
'07 ch.529, 9 July
- zh** **Wy.** Amdg. '05 ch.50 §7-9, 11-17, 22 rel. to powers and duties of State Bd. of Horticulture. 11§ '07 ch.73, 21 Feb.

1848

**Grasshoppers. Locusts. Crickets**

- a** **Id.** Authorizing county comrs. to make 5 mill levy, on petition of 100 taxpayers, for extermination of crickets, grasshoppers, rodents and rabbits. 2§ '07 p.24, 19 Feb.

1850

**Moths**

- a** **Ct.** Extermination of gypsy and brown tail moths by State Entomologist. 6§ '07 ch.114, 5 June
- b** **Mass.** 3500 copies additional of report of supt. for suppression of gypsy and brown tail moths. '07 r.41, 30 Mar.
- c** **Mass.** Amdg. '05 ch.381 §4, 5, 7, 12 rel. to suppression of gypsy and brown tail moths. 4§ '07 ch.521, 15 June
- d** **N. H.** Gov. and Council at discretion to employ agent for suppression of gypsy and brown tail moth; localities to be reimbursed; compulsory action; regulations; \$25,000. 10§ '07 ch.147, 5 Apr.
- e** **R. I.** Gov. and Senate to appoint comr. to suppress gypsy and brown tail moths under direction of State Bd. of Agric.; powers; regulations; printed report to Legis.; municipalities may expend money for coöperation; \$10,000; penalties. 8§ '07 ch.1472, 23 Apr.
- f** **Vt.** Gov. may exterminate San José scale and gypsy and brown tail moth; may draw on Auditor of Accounts. 2§ '06 ch.223, 16 Nov.

1854

## Weeds

*See also 2744, Roads*

- a **Ia.** Railroads to destroy certain weeds growing along right of way, in July. 2§ '07 ch.105, 27 Mar.
- b **Or.** On failure of landowner to remove certain weeds, road supervisor to cause same to be done, and charge to owner; penalties. 10§ '07 ch.168, 25 Feb.
- c **Wash.** Msdr. to permit noxious weeds to grow along canal or ditch. 1§ '07 ch.34, 21 Feb.
- d **Wash.** Declaring botanists at University and College of Wash. State Botanists; to notify auditor as to noxious weeds in county; msdr. to allow noxious weeds to grow on one's lands; road supervisors to enforce. 10§ '07 ch.84, 7 Mar.
- e **Wash.** City of 1st class may remove weeds from property; cost to be lien on property. 2§ '07 ch.89, 9 Mar.
- f **Wis.** Msdr. to transport on highways grain screenings containing weed seed except in tightly closed receptacles. Adds S.'98 §1481m. 2§ '07 ch.65, 30 Apr.

1855

## Canada thistle. Russian thistle

- a **Cal.** Amdg. '03 ch.250 §1-3 rel. to prevention of propagation of sorghum halepense: further defined by giving synonyms. 4§ '07 ch.476, 22 Mar.
- b **Ind.** On refusal of owner of land, township trustees to have Canada thistles cut; expense to be assessed on land. 5§ '07 ch.32, 21 Feb.
- c **Wis.** Creating Wis. Canada Thistle Bd.; director of agric. experiment station at head; local comrs.; system of extermination; cost assessed on lands where thistle found. Adds S.'98 §1480t subdiv. 1-17. 17§ '07 ch.191, 7 June

1856

## Noxious animals. Bounties

- a **Ari.** Amdg. R.S.'01 §4209, 4211 rel. to bounties on wild animals: lobos \$20 [§5]; lynx and wild cats \$5 [§1]; *racoons 25c; rabbits 7c; no affidavit for rabbits.* 3§ '07 ch.49, 18 Mar.
- b **Ct.** Amdg. G.S.'02 §1936: town may offer bounty of \$3 for racoon. 1§ '07 ch.116, 12 June
- c **Id.** County comrs. may make 5 mill levy, on petition of 100 taxpayers, for extermination of crickets, grasshoppers, rodents and rabbits. 2§ '07 p.24, 19 Feb.
- d **Id.** State Game Warden to devise methods for extermination of predatory animals; \$5000. 2§ '07 p.301, 12 Mar.
- e **Id.** Live Stock Sanitary Bd. to employ hunters to destroy predatory animals; \$35,000 annually. Adds '05 p.39 §41-49. 9§ '07 p.452, 13 Mar.
- f **Ill.** Bounty of 25c for ground hog. 3§ '07 p.9, 4 June
- g **Mon.** Claim for bounty on stock destroying animals to be in claimant's writing; exception; witnessing. 3§ '07 ch.93, 5 Mar.
- h **Pa.** Bounty on wildcats, foxes, minks, weasels; county paying to be reimbursed by commonwealth; regulations. 7§ '07 ch.53, 10 Apr.

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1856

- i **Wis.** Amdg. S.'98 §1627-28 rel. to manner of obtaining bounty for wild animals. 2§ '07 ch.63, 30 Apr.
- j **Wis.** Amdg. S.'98 §1626 rel. to bounties on animals: on wolf cub *between Mar. 1 and Nov. 1* [under 6 months] \$4 [\$2]; *county may increase bounties.* 1§ '07 ch.102, 15 May
- k **Wis.** Amdg. '03 ch.414 rel. to bounties on destructive animals: gophers, English sparrow and rattlesnakes added; payment. Adds S.'98 §1631n. 4§ '07 ch.364, 24 June

1858

## Crows

- a **Ill.** Bounty of 10c for crow and 5c for egg. 3§ '07 p.8, 5 June
- 1862 **Gophers. Prairie dogs. Ground squirrels**
- a **Ia.** Bounty for gopher 10c. 3§ '07 ch.121, 15 Mar.
  - b **Kan.** County comrs. to pay bounty on gophers. 3§ '07 ch.67, 12 Mar.

1872

## Sparrows

- a **Mich.** County to pay bounty of 2c for each English sparrow killed Dec., Jan. and Feb. 4§ '07 ch.226, 27 June

1874

## Wolves. Coyotes. Lynx. Wildcats. Bears etc.

- a **Kan.** County comrs. to pay bounty on coyotes, wolves and gophers. 3§ '07 ch.67, 12 Mar.
- b **Mich.** Amdg. C.L.'97 §5571, 5574: bounty on wolf \$25 [\$15], on whelp \$10 [\$7]; marking pelt on payment. 2§ '07 ch.255, 27 June
- c **Minn.** Amdg. R.L.'05 §2399 rel. to bounty on wolves: *toes of front feet* [hide] to be removed in presence of town clerk. 1§ '07 ch.298, 22 Apr.
- d **Minn.** Amdg. R.L.'05 §2397 rel. to bounty on wolves: \$3 [\$1] for cub. 1§ '07 ch.381, 24 Apr.
- e **Or.** Counties may pay bounties on coyotes, cougars, wolves and wildcats; scalp with valuable fur to be marked and returned to owner; regulations; penalty. 9§ '07 ch.213, 25 Feb.
- f **S. D.** Amdg. P.C. §3121 rel. to wolf bounty: annual appropriation \$13,000 [\$10,000]. 2§ '07 ch.251
- g **U.** Amdg. '05 ch.114 §1, 4, 5, 8 rel. to bounty on coyotes, lynx and wildcats. 4§ '07 ch.95, 14 Mar.
- h **Wy.** Bounties for coyotes, wolves and mountain lions. Rep. '05 ch.37. 14§ '07 ch.25, 13 Feb.

1875

## Domestic animals

*See also* 896, Cruelty to animals; 961, Milk and milk products; 1083, Slaughter houses; 1144, Communicable diseases of animals; 1472, Commercial feed for stock; 1526, Stock yards; 1562, Horseshoeing; 1588, Veterinary practice

- a **Col.** State Agric. College to investigate animal industries, improvement of crops and fruits, establish farmers institutes, experiment with farm and road machinery; \$45,000. 12§ '07 ch.76, 15 Apr.

## AGRICULTURE

1875

- b **Kan.** Amdg. '05 ch.495 §2 rel. to live stock comr.: salary of clerk. 2§ '07 ch.399, 9 Mar.
- c **Me.** Amdg. R.S.'03 ch.128 §1: penalty for injuring *or enticing domestic animal away to obtain reward* 4 years or \$20 to \$500. 1§ '07 ch.23, 21 Feb.
- d **N. J.** Appointing comn. of 7 to investigate promotion of live stock raising in state; report next session. 2§ '07 p.735, 14 May
- e **N. D.** Annual appropriation of \$500 for publication of information distributed by N. D. Live Stock Association. 1§ '07 ch.171, 5 Mar.
- f **Or.** License of 20c per head for sheep of nonresidents on public ranges; inspection for disease. 5§ '07 ch.71, 23 Feb.

1876

### Running. Impounding. Fences

1877

#### Running at large

- a **Id.** Creation of herd districts. 8§ '07 p.126, 5 Mar.
- b **Mo.** Amdg. R.S.'99 §4771 rel. to castration of animal found running at large. 1§ '07 p.65, 22 Mar.
- c **Mo.** Amdg. R.S.'99 §6272: special charter city of under 10,000 may prohibit running at large of certain animals and impose \$5 dog tax. 1§ '07 p.102, 1 Apr.
- d **Nev.** Sheep not to be permitted to graze on another's land; damages. 4§ '07 ch.201, 29 Mar.
- e **Or.** Amdg. Ann. C.& S. §4243, 4245: vote for stock running at large in election precinct. 2§ '07 ch.229, 25 Feb.
- f **Tex.** Amdg. R.C.S.'95 art.5001c: relief of owner of inclosed land adjoining district under stock law. 1§ '07 ch.73, 5 Apr.
- g **Wash.** Prohibiting live stock from running at large in county ¾ under fence; exceptions; penalty. Rep. '05 ch.91. 8§ '07 ch.230, 16 Mar.

1878

#### Fencing districts

- a **Ark.** Amdg. S.'04 §1378 rel. to fencing districts in county: new territory to be added on petition of ¾ of landowners. 2§ '07 ch.291, 10 May
- b **Mo.** Amdg. R.S.'99 §4790 which authorizes 5 or more townships to restrain running at large of *horses, mules, cattle, asses, goats, swine* and sheep. 1§ '07 p.66, 21 Mar.
- c **N. C.** Corp. Comn. to assess real estate of railroads in stock law territory for local benefit. 3§ '07 ch.459, 8 Mar.
- d **W. Va.** Amdg. C. ch.60 §4 rel. to stock running at large: question may be submitted to voters of part of district separated by river. 1§ '07 ch.44, 24 Feb.

1879

#### Estrays. Damages. Trespass

*See also 1321, Railways*

- a **Cal.** Amdg. '01 ch.197 §2 rel. to estrays: where brand on animal is recorded or finder knows owner, latter to be notified in 5 days. 1§ '07 ch.110, 6 Mar.

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- b **Cal.** Unlawful to permit animal to trespass on inclosed cultivated land of another; action for damages; animals subject to execution. 6§ '07 ch.538, 23 Mar.
- c **Col.** Amdg. Ann.S.'91 §111, 114 rel. to sale of abandoned animals: stock on range not abandoned unless in need of aid; where owner unknown description of brands to be sent to district stock inspector and Sec. of State; latter to notify owner. 2§ '07 ch.116, 9 Apr.
- d **Col.** Procedure for disposal of estrays in cities and incorporated towns. Rep.'87 p.421. 8§ '07 ch.176, 9 Apr.
- e **Id.** Amdg. '99 p.366 §1 rel. to estrays: bull from Nov. 1 to June 1 or any animal breaking into inclosure twice may be taken up. 1§ '07 p.551, 16 Mar.
- f **Mon.** Unclaimed proceeds of sale of estrays to be paid into stock inspection and detective fund. 4§ '07 ch.194, 11 Mar.
- g **N. M.** Taking up and sale of estrays. Rep. C.L.'97 §135-42. 12§ '07 ch.80, 21 Mar.
- h **N. D.** Amdg. R.C.'05 §1973: estray appraised as worthless may be destroyed. 1§ '07 ch.117, 13 Mar.
- i **Or.** Rep. Ann. C.& S. §4264 requiring estray notice to be published in State Printer's paper. 1§ '07 ch.118, 23 Feb.
- j **S. D.** Damages for trespass of animals; may be retained till paid; judgment to be lien thereon; msdr. to attempt to gain possession; applicable east of Mo. river only unless adopted by county. 13§ '07 ch.244
- k **Wash.** Amdg. '05 ch.23 §3: animal running at large between Dec. 1 and Mar. 1 west of Cascade range declared estray; animal defined. 1§ '07 ch.45, 26 Feb.
- n **Wash.** Amdg. Ballinger's Ann. C.& S.'97 §3482-83 rel. to trespass of sheep. 2§ '07 ch.53, 1 Mar.

1882

**Ownership. Sale. Miscellaneous**

- a **Id.** Lease of live stock to be in writing, acknowledged and filed. 1§ '07 p.481, 14 Mar.
- b **Mon.** Tallying of cattle shipped from state; inspection at market points. 5§ '07 ch.94, 5 Mar.
- c **Mon.** Record of animals handled to be kept in market for sale of live stock; access to inspectors; quarantine of diseased animals; proceeds of sale of strays to be paid to State Treasurer; penalty. 6§ '07 ch.96, 5 Mar.

1883

**Branding**

- a **Ari.** Adding to '05 ch.51 §65 rel. to recording brands: affidavits that applicant does not know of similar brand being used in Mexico. 2§ '07 ch.89, 21 Mar.
- b **Fla.** Amdg. G.S.'06 §3111, 3113, 3122, 3124 rel. to inspectors of marks and brands of cattle: appointed by *Gov. on recommendation of county comrs.*; term 4 years. 4§ '07 ch.71, 22 May



## AGRICULTURE

1884

### *Stealing. Driving. Using*

*See also 208, Reward*

- a **Col.** Grand larceny to steal fowls by night. 1§ '07 ch.156, 3 Apr.
- b **Fla.** Prohibiting altering marks of animal belonging to another to prevent identification by owner; penalty 5 years. 2§  
'07 ch.68, 27 May
- c **Neb.** Penalty for hog stealing. 1§ '07 ch.166, 29 Mar.
- d **Neb.** Penalty for stealing live poultry or pigeons. 1§  
'07 ch.167, 29 Mar.
- e **Nev.** Sheriff to inspect and give certificate of clearance to horses shipped without state; to keep record of brands; penalty for exporting without certificate. 8§ '07 ch.207, 29 Mar.
- f **S. D.** Rep. '05 ch.57 rel. to appointment of county beef and hide inspector. 1§ '07 ch.75, 13 Feb.
- g **S. D.** Shipper of branded horses to give notice of place of shipment in time for inspection; msdr. to ship without certificate; county auditor to publish monthly report of shipments. 3§. Supplements '05 ch.120. '07 ch.163
- h **Wy.** Amdg. R.S.'99 §2008 which requires butchers to keep hides of cattle slaughtered for 20 days: butcher defined. 1§  
'07 ch.78, 20 Feb.
- i **Wy.** Amdg. R.S.'99 §4988-89 rel. to stealing and misbranding live stock: sheep included; penalty increased. 2§ '07 ch.83, 20 Feb.

1885

### *Breeding. Pedigrees*

- a **Ia.** Registration and publication of pedigrees of domestic animals. Amds. '06 ch.98 §2-5. 6§ '07 ch.120, 28 Mar
- b **Minn.** Creating Stallion Registration Bd. to consist of professor of animal husbandry Minn. College of Agric., veterinarian of State Experiment Station, president of Minn. Horse Breeders Association; to register pedigrees of public service stallions; license; regulations. 11§ '07 ch.436, 25 Apr.
- c **Pa.** Stallions standing for public service to be registered and licensed by Live Stock Sanitary Bd.; those with transmissible disease not to be publicly served; pedigrees; penalty. 13§ '07 ch.92, 25 Apr.
- d **U.** Creating State Bd. of Horse Comrs. to consist of veterinarian and animal husbandman of Agric. College and Experiment Station; license for grade stallion; pedigrees; lien for services. 13§  
'07 ch.126, 23 Mar.
- e **Vt.** Amdg. '04 ch.150 §1 rel. to the registering of stallions; pedigree to third ancestor of dam and mare to be given; penalty. 2§  
'06 ch.183, 11 Dec.
- f **Wis.** Amdg. '05 ch.116 §1-9 to be S.'98 §1494 subdiv. 31-39 rel. to regulation of public service of stallions. Adds S.'98 §1494 subdiv. 32m, 38m. 11§ '07 ch.434, 27 June

1886

### *Prevention of injury to stock*

*See also 1321, Railroads; 1888, Dogs*

- a **Fla.** Amdg. G.S.'06 §3394 rel. to damage to stock by phosphate plant. 2§ '07 ch.69, 7 May

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1886

- b **Me.** Amdg. R.S.'03 ch.4 §49, 60 rel. to protection of domestic animals from dogs and wild animals. 2§ '07 ch.178, 28 Mar.

1888

## Dogs

*See also 1163, Rabies*

- a **Ct.** Dogs: registration and licenses; dog warden; payment for damage by dogs to domestic animals; liability of owner; summary killing; penalties. Rep. G.S.'02 ch.247; '03 ch.5. 21§ '07 ch.167, 27 June  
Amended: cost of tags; disposition of proceeds; license to be obtained and wardens appointed Oct. 1 [Aug. 1]; rep. '03 ch.6 [5]. 3§  
'07 ch.252, 1 Aug.
- b **Ia.** Dog tax to constitute fund for remuneration of persons having domestic animals killed by dogs or wolves; claims and method of payment. Amds. C. §458-59. 5§ '07 ch.20, 1 Apr.
- c **Me.** Amdg. R.S.'03 ch.4 §60: mun. court may order killing, confinement or removal of dangerous dog at *option of owner*. 1§  
'07 ch.19, 19 Feb.
- d **Or.** Declaring dogs personal property. 1§ '07 ch.198, 25 Feb.

1889

## Dog tax

- a **Me.** Amdg. R.S.'03 ch.4 §45 rel. to licensing dogs: in unorganized places to be licensed in nearest town or plantation. 1§  
'07 ch.6, 12 Feb.
- b **Mass.** Officers to enforce laws concerning unlicensed dogs to hold office 1 year or till successors appointed; to make returns on or before Oct. 1 and at expiration of term. Amds. R.L. ch.102 §143-44. 2§  
'07 ch.240, 25 Mar.
- c **Mass.** Person appointed to prosecute actions for damages done by dogs to have concurrent jurisdiction with officers who enforce laws concerning unlicensed dogs. Amds. R.L. ch.102 §155. 1§  
'07 ch.241, 25 Mar.
- d **Mich.** Amdg. '01 ch.48 §6 rel. to disposition of surplus of dog tax. 1§  
'07 ch.43, 11 Apr.
- e **Mo.** Amdg. R.S.'99 §6272: special charter city of under 10,000 may prohibit running at large of such animals and impose \$5 dog tax. 1§  
'07 p.102, 1 Apr.
- f **Mo.** Dog tax; dog fund for indemnity of persons having domestic animals injured by dogs. 12§  
'07 p.388, 12 Apr.
- g **N. Y.** Amdg. county law '92 ch.686 §114, 128-33, 135: provisions rel. to registration of dogs in towns applied to villages. 7§  
'07 ch.294, 6 May
- h **Pa.** Dogs subject to taxation to wear collar with license tag attached; dogs without tags to be killed. 7§  
'07 ch.261, 1 June
- i **Tenn.** Registration of female dogs; method; penalty. 9§  
'07 ch.32, 6 Feb.

1889(5)

## Injury to stock

- a **Me.** Amdg. R.S.'03 ch.4 §53 rel. to payment of damages by municipality for injury to sheep by dogs: authorities must be notified in 7 days [24 hours]. 1§  
'07 ch.55, 13 Mar.

## FORESTRY

1889(5)

- b **Mich.** Amdg. '99 ch.222 §7 rel. to tax on dogs to repay owners of sheep killed by dogs: proportionate payment when fund insufficient; balance. 1§ '07 ch.331, 28 June
- c **N. H.** Amdg. '91 ch.60 §16 rel. to collection of damages from town for domestic animals killed by dogs. 1§ '07 ch.103, 3 Apr.
- d **W. Va.** Amdg. C. ch.62 §7-9, 9a 1-4 rel. to protection of sheep and goats from worrying and killing dogs; dog tax. Rep. §9a10-11. 8§ '07 (ex. sess.) ch.14, 4 Mar.

1890

## Forestry

*See also 1598, Arbor day; 2742, Roads*

- a **Kan.** Amdg. G.S.'01 §6628-35: 2 [1]comrs. of forestry; duties; reports; salaries. 12§ '07 ch.405, 13 Mar.
- b **Mass.** Amdg. '04 ch.409 §1, 6: salary of State Forester \$3000 [\$2000]; may expend *sum allowed by Gen. Court* [not to exceed \$5000]. 2§ '07 ch.473, 4 June
- c **Minn.** Gov. member of Forestry Bd.; terms of 3 members extended 2 years. 2§ '07 ch.171, 12 Apr.
- d **Or.** Creating State Bd. of Forestry to consist of Gov., Sec. of State, Forest, Fish and Game Warden, member of Or. Agric. College in charge of forest work, and 3 electors appointed by the Gov. on recommendation; to investigate forest conditions and report to next Legis.; to supervise matters pertaining to forestry; fire wardens; rules regulating kindling fires in forests; penalties. Rep. '05 ch.227. 15§ '07 ch.131, 23 Feb.
- e **R. I.** Amdg. '06 ch.1322 §4: expense allowance of Comr. of Forestry \$500 [\$300]. 3§ '07 ch.1465, 23 Apr.
- f **Tenn.** Forestry law. 27§ '07 ch.397, 13 Apr.
- g **Vt.** Requiring license for dealers in evergreen trees; fees \$50; penalty \$300. 7§ '06 ch.139, 14 Dec.
- h **Vt.** Establishing nursery for forest seedlings. 6§ '06 ch.15, 16 Dec.
- i **Wash.** Amdg. '05 ch.164 §3: salary of State Fire Warden and Forester \$2000 [\$1500]. 1§ '07 ch.201, 15 Mar.
- j **Wis.** Appraisal of forest land in Indian reservations; may be sold to U. S. at appraised value; proceeds to be paid into forest reserve fund. Adds S.'98 §1494 subdiv. 121-24. 4§ '07 ch.96, 10 May
- k **Wis.** Referring to next Legis. amdt. to Const. 1848 art.8 §10: Legis. may appropriate money, not to exceed 2/10 mill of taxable property, annually to develop water power and forests. '07 p.1293

1892

## Bounty. Exemption

- a **Me.** Amdg. R.S.'03 ch.9 §6 '10 rel. to exemption from taxation of land set apart for production of forest trees. 1§ '07 ch.169, 27 Mar.

1892

- b **N. D.** Amdg. R.C.'05 §2082 rel. to bounty for tree cultivation: to be *paid from gen. fund of county* [deducted from taxes]; *not to exceed taxes.* 1§ '07 ch.41, 12 Mar.
- c **Wis.** Exemption from taxation of certain lands planted to forest trees. Adds S.'98 §1494 subdiv.101-11. 11§ '07 ch.592, 12 July

1893

\* **Forest fires**

*See also 1322, Railroads*

- a **Cal.** Amdg. Pen. C. §384 rel. to prevention of forest fires. Rep. §384a-b. 2§ '07 ch.536, 23 Mar.
- b **Ct.** Amdg. G.S.'02 §1221: fire not to be started in woodland unless combustible material within 20 [6] feet be removed. 1§ '07 ch.43, 17 Apr.
- c **Ct.** Amdg. '05 ch.238 §3-5 rel. to forest fires: where town and city coterminous chief of fire dept. to be fire warden and mayor to perform duties of selectmen. 3§ '07 ch.136, 14 June
- d **Id.** To prevent forest fires; wardens; duties of persons and corporations. Rep. '05 p.145 §10-13. 10§ '07 p.18, 15 Feb.
- e **Mass.** Comrs. on Fisheries and Game to take measures to prevent kindling and spread of forest fires. 1§ '07 ch.299, 15 Apr.
- f **Mass.** Appointment and duties of forest wardens. Amds. R.L. ch.32 §16, 20; rep. ch.32 §17, 18, 22, ch.53 §14. 10§ '07 ch.475, 5 June
- g **Mich.** State Game and Fish Warden to be known as State Game, Fish and Forestry Warden; to suppress forest fires; salary \$3000; abolishes Chief Fire Warden. 3§ '07 ch.106, 22 May
- h **Mich.** Amdg. '03 ch.249 §1-5, 7, 8, 17 rel. to prevention of forest fires: transferred from Land Comr. to Game, Fish and Forest Warden. 9§ '07 ch.317, 28 June
- i **Mon.** Creating State Game and Fish Warden ex officio State Fire Warden; to serve with regular deputies without additional pay; to protect timber under regulations of Bd. of Land Comrs. 3§ '07 ch.147, 7 Mar.
- j **N. J.** Fire district may include parts of several townships; division of expense. 2§ '07 ch.9, 14 Mar.
- k **N. Y.** Amdg. forest, fish and game law '00 ch.20 §229 rel. to rules for lighting fires to clear land in boundaries of Adirondack and Catskill Parks: penalty for violation \$50 to \$300. 1§ '07 ch.667, 20 July
- n **Pa.** Constituting constables of boroughs and townships and employees of Dept. of Forestry ex officio firewardens; compensation; state to pay  $\frac{3}{4}$ , county  $\frac{1}{4}$ ; penalties for failure to perform duties; \$40,000. 11§ '07 ch.86, 25 Apr.
- p **Pa.** Prohibiting burning of down timber and grass on lands having oil or gas producing wells from Apr. 1 to May 20 and from Sept. 10 to Nov. 10; exceptions; such lands to be cleared annually of inflammable material; duties of railroads; penalties. 3§ '07 ch.334, 12 June
- q **Wy.** Msdr. to light fire in woods or prairie and leave without extinguishing; penalty. 1§ '07 ch.22, 13 Feb.

## FORESTRY

1894

### Forest preserves

*See also* 798, State parks

- a **Ari.** Distribution to counties entitled thereto of moneys received from U. S. as earnings from forest reserves. 3§ '07 ch.51, 18 Mar.
- b **Cal.** Distribution among counties of moneys received on account of U. S. forest preserves. 4§ '07 ch.277, 18 Mar.
- c **Id.** Protesting to Cong. against present location and administration of forest reserves in state. '07 p.588, 28 Feb.
- d **Id.** Apportioning to road and school funds of counties containing forest reserves moneys received from U. S. on account thereof. 3§ '07 p.162, 5 Mar.
- e **Ind.** State Bd. of Forestry may grant right of way to railroads and telegraph and telephone companies through forest reserve; approval of Gov., Auditor and Atty. Gen. 2§ '07 ch.57, 26 Feb.
- f **Mich.** Creating Comn. of Inquiry; 9 members, appointed by Gov.; to investigate creation of forest preserves out of forest or waste lands and management of same; to draft proposed law and submit to next Legis. 6§ '07 ch.188, 18 June
- g **Mich.** Setting aside lands of Agric. College in Iosco and Alcona counties as forest preserve; Bd. of Agric. to manage; reforestation; sale of timber. 4§ '07 ch.299, 27 June
- h **Minn.** Making Itasca State Park forest reserve; may be used for demonstration work in forestry course at State University. 4§ '07 ch.90, 4 Apr.
- i **Minn.** Appropriating \$2500 to plant evergreen seedlings on Pillsbury reserve. 1§ '07 ch.351, 23 Apr.
- j **Mon.** Protesting against segregation of forest reserve land by federal govt. '07 p.593, 5 Mar.
- k **Mon.** Distribution of money derived from U. S. forest reserves. 4§ '07 ch.127, 6 Mar.
- n **Neb.** Distribution of U. S. forest reserve fund to counties for road and school funds. 3§ '07 ch.143, 29 Mar.
- p **Nev.** Proceeds of national forest preserves to go to school fund of county where collected. 1§ '07 ch.191, 29 Mar.
- q **N. J.** Forest Park Reservation Comrs. may acquire fresh water lakes; may make rules for govt. of reservations; penalties for violation. 2§ '07 ch.143, 8 May
- r **N. Y.** Referring to next Legis. amdt. to Const. 1894 art.7 §7: Legis. may authorize construction of water storage dams in forest preserve for public purposes. Not repassed by Legis. of 1907. '06 p.1895, 3 May
- s **Or.** Distribution among counties of 10% income from forest reserves from U. S. govt.; to be divided between school and road funds. 1§ '07 ch.160, 25 Feb.
- t **S. D.** Use for roads and schools of certain counties of income from special U. S. forest reserve fund. 2§ '07 ch.154, 2 Mar.
- u **U.** Accepting money from U. S. from forest reserves for road and school purposes; money apportionment. 5§ '07 ch.145, 25 Mar.

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1894

- v **Wash.** Distribution to counties of federal forest reserve money for schools and roads. 2§ '07 ch.185, 15 Mar.
- w **Wis.** Amdg. S.'98 §160f: interest received from depositories from forest reserve and forest reserve income fund to be credited to latter. 1§ '07 ch.406, 25 June
- x **Wis.** Comrs. of Public Lands may purchase at tax sales lands north of town 33 for forest reserve; also tax titles owned by county. Adds S.'98 §1494 subdiv. 131-35. 5§ '07 ch.491, 9 July
- y **Wy.** State Treasurer to distribute U. S. 10% forest reserve fund to counties in proportion to acreage of reserve; ½ for schools and ½ for roads. 4§ '07 ch.7, 9 Feb.

1896

## Lumber

*See also 777, 778(5), Public lands*

- a **Fla.** Amdg. G.S.'06 §1919: Court of Chancery to have jurisdiction of claim to timbered land *or timber or right to work for turpentine on land*. 2§ '07 ch.87, 15 May
- b **Fla.** Prohibiting cutting of timber from or working for turpentine on land on which unredeemed tax sale certificates are outstanding; penalty. 2§ '07 ch.88, 3 June
- c **Fla.** Penalty for injury to standing timber belonging to another. 1§ '07 ch.90, 3 June
- d **N. Y.** Authorizing use of streams for floating logs and timber; persons improving floatability may charge toll; damages to abutting owners; penalty for unauthorized use of brand. 8§ '07 ch.47, 18 Mar.
- e **Wis.** Joint legis. committee of 5 to investigate lumber trust; report to Gov. Jan. 1908. '07 p.1286

1897

## Brands. Drift timber. Stealing

- a **Tenn.** Declaring unconst. '99 ch.381: felony to remove [maliciously] timber from land of another. Fails to recite substance of act sought to be amended. State v. Smith 105 S. W. 68 (1907)

1898

## Measurement. Grading

- a **Minn.** Fees of surveyors gen. of logs and lumber. 2§ '07 ch.185, 13 Apr.
- b **Minn.** Fees of surveyors gen. of logs and lumber. 3§ '07 ch.314, 23 Apr.

1899

## Transportation

- a **Mich.** Amdg. C.L.'97 §6519: penalty for logging so as to obstruct stream. 1§ '07 ch.104, 22 May
- b **Mich.** Temporary highways for removal of timber. Rep.'99 ch.65. 5§ '07 ch.327, 28 June
- c **Mon.** Amdg. C.C.P. §2211: eminent domain for logging roads and railways. 1§ '07 ch.4, 5 Feb.
- d **Mon.** Land taken for logging to revert to owner after not to exceed 5 years; damages. Adds C.C.P. §2234-35. 1§ '07 ch.89, 5 Mar.

## GAME AND FISH

1899

- e Or. Amdg. '03 p.262 §20: county may grant temporary franchise to construct logging road or railroad on public easement roads; to be removed at expiration; entire expense to be borne by petitioner. 1§ '07 ch.136, 25 Feb.
- f Wash. Amdg. '90 p.470 §2 rel. to boom companies: extension of operation. 1§ '07 ch.52, 1 Mar.
- g Wash. Submitting amdt. to Const. 1889 art.1 §16: right of eminent domain for right of way for removal of timber. 3§. Vote Nov. 1908. '07 ch.69, 5 Mar.
- h Wash. Comr. of Public Lands may lease harbor areas and state land for booming purposes. 1§ '07 ch.233, 16 Mar.

1900

## Game and fish

*See also 2383, Biology*

- a Ala. Protection of fish and game; creating State Fish and Game Comr., elected for 4 years; county and deputy wardens; licenses, county \$1, out of county \$3, nonresident \$15. 48§ '07 p.81, 19 Feb.
- b Cal. Amdg. Pen. C. §628, 628a-b, 632, 634 rel. to protection of certain fish. Adds §632½, 632b. 8§ '07 ch.239, 15 Mar.
- c Cal. Amdg. Pen. C. §626, 626a, 626d, 626f, 626g, 626i, 626j, 627b, 637a rel. to protection of game and fish. Adds §637b. 11§ '07 ch.420, 21 Mar.
- d Col. Amdg. Ann. S.'91 §2047: Deputy State Game and Fish Comr.; salary \$1500, expenses \$400. 1§ '07 ch.185, 9 Apr.
- e Col. Amdg. Ann. S.'91 §2063m rel. to open season for various fish and game. 1§ '07 ch.187, 9 Apr.
- f Ct. Amdg. G.S.'02 §3132 which prohibits Sunday hunting: possession of hunting implement in open air prima facie evidence. 1§ '07 ch.162, 27 June
- g Ct. Comrs. on Fisheries and Game may publish 6000 copies of game laws. 1§ '07 special acts ch.507, 1 Aug.
- h Del. Gov. may have fish, oyster and game laws compiled; \$50; State Bd. of Supplies to have printed 5000; distribution. 2§ '07 ch.147, 5 Mar.
- i Del. Law uniform with N. J. regulating taking of fish in Delaware river and bay. 27§ '07 ch.146, 23 Apr.
- j Id. Generally amdg. '99 p.428 rel. to protection of fish and game. 14§ '07 p.112, 4 Mar.
- k Ill. Amdg. '03 p.206 §1, 2, 3, 4, 5, 6, 10, 12, 16, 18, 25, 31 rel. to protection of game. 12§ '07 p.344, 28 May
- m Ill. Close season for furbearing animals May 1-Nov. 1. 2§ '07 p.9, 4 June
- n Ill. Protection of fish. 23§ '07 p.335, 5 June
- p Ind. Amdg. '05 ch.169 §615-16, 625 rel. to illegal catching and sale of fish, shipments and private ponds. 3§ '07 ch.62, 26 Feb.
- q Ind. Printing and distribution of 10,000 copies of report of Comr. of Fisheries and Game for 1905-6. 1§ '07 ch.137, 9 Mar.
- r Ind. Amdg. '05 ch.169 §595-96, 598-99, 602, 607, 609, 611 and rep. §600 rel. to killing and possession of game and other wild birds and hunters licenses. 10§ '07 ch.216, 9 Mar.

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- s **Ia.** State Fish and Game Warden to investigate cost of dredging lakes used for boating and fishing; report to next session. 1§  
'07 p.293, 9 Apr.
- t **Me.** Traps set in incorporated places to be visited every 24 hours and animals removed; not to be set on cultivated land without written consent of owner; penalty. 3§  
'07 ch.160, 27 Mar.
- u **Me.** Fish and game generally. Amds. R.S.'03 ch.32 §16 ¶1. 9§  
'07 ch.181, 28 Mar.
- v **Mich.** State Game and Fish Warden to be known as State Game, Fish and Forestry Warden; to suppress forest fires; salary \$3000; abolishes Chief Fire Warden. 3§  
'07 ch.106, 22 May
- w **Mich.** Amdg. C.L.'97 §5759 rel. to compensation of deputy game wardens. 1§  
'07 ch.330, 28 June
- x **Minn.** Prohibiting killing of wild animals and birds on forest reserve. 2§  
'07 ch.45, 14 Mar.
- y **Minn.** Amdg. '05 ch.344 §49 rel. to close season for fishing in Lake Superior: *Nov. 1* [Nov. 15] to *Dec. 1* [Dec. 30]; nets not to be used within ½ mile of shore. 1§  
'07 ch.403, 24 Apr.
- ya **Minn.** Amdg. sundry § R.L.'05 ch.344 rel. to game and fish. 12§  
'07 ch.469, 26 Apr.
- yb **Mo.** Amdg. '05 p.158 rel. to fish and game. Rep. R.S.'99 §7450.  
40§  
'07 p.277, 4 Apr.
- yc **Mon.** Salary of State Game and Fish Warden \$2400; of deputies \$1500; of clerk \$1200. 4§  
'07 ch.139, 7 Mar.
- yd **N. H.** Amdg. '01 ch.79 §5, 8, 12, 24, 25, 30, 39-41, 54, 57, 59; '05 ch. 38 §1 rel. to game and fish. 14§  
'07 ch.36, 6 Mar.
- ye **N. H.** Amdg. '01 ch.79 §27: unlawful to set snares on land; penalty. 1§  
'07 ch.74, 22 Mar.
- yf **N. J.** Taking of fish in waters of Delaware river between Del. and N. J., being uniform law agreed upon by comrs. of said states. 26§  
'07 ch.131, 7 May
- yg **N. J.** Gov. and Senate to appoint Bd. of Fish and Game Comrs. of 4, term 4 years; present comrs. abolished. 2§  
'07 ch.259, 25 Sept.
- yh **N. M.** Rep. '03 ch.48 §8 rel. to placing fish screens at intakes of canals and ditches. 1§  
'07 ch.73, 21 Mar.
- yi **N. M.** Amdg. '05 ch.51 §2: close season for dove and quail; fish and game may be imported at all times for scientific and propagating purposes. 2§  
'07 ch.105, 21 Mar.
- yj **N. Y.** Forest, Fish and Game Comr. after annual adjournment of Legis. to compile forest, fish and game law; 25,000 copies, 100 to senator, 50 to assemblyman, balance to comr. for distribution. Adds §164 to forest, fish and game law '00 ch.20. 1§  
'07 ch.282, 4 May
- yk **N. Y.** Amdg. forest, fish and game law '00 ch.20 §170: 75 [65] game protectors. 1§  
'07 ch.519, 17 June
- yn **N. C.** Creating Fish Comr., appointed by Gov. for 4 years, salary \$900; to enforce laws rel. to fin-fish; under supervision of Geological and Economic Survey Bd.; net licenses; counties excepted. 15§  
'07 ch.977, 11 Mar.
- yp **Or.** Clerk for Master Fish Warden. 2§  
'07 ch. 36, 16 Feb.



# GAME AND FISH

1900

- yq Or.** Joint legis. committee of 5 to meet like committee from state of Wash. to investigate fishing industry on Columbia river; report 1909. '07 p.523, 21 Feb.
- yr Or.** Amdg. Ann. C. & S. §2064 rel. to fish screens across inlets to mill races and irrigation ditches. Rep. §2065-66. 2§ '07 ch.204, 25 Feb.
- ys Pa.** Game Comrs. to prepare pamphlet containing game, fish and forestry laws and have printed 100,000 copies; distribution. '07 p.808, 14 Mar.
- yt Pa.** Classifying fish in boundary lakes of 5000 acres and prescribing fishing regulations; licenses; prosecution and penalties. Rep. '05 ch.188. 19§ '07 ch.49, 4 Apr.
- yu Pa.** Comn. of 9 to confer with comns. of N. Y., N. J., Del., Md. as to legislation rel. to fish and fishing in Delaware and Susquehanna rivers; \$5000. '07 ch.152, 8 May
- yv Pa.** Prohibiting use of automatic guns for killing game; penalty; summary conviction. 2§ '07 ch.244, 31 May
- yw S. C.** Generally amdg. '06 ch.60 regulating taking, sale, export and canning of shellfish, shad and sturgeon; 1½¢ tax per bushel on oysters exported from state; penalty for terrapin and shad illegally taken. 12§ '07 ch.243, 19 Feb.
- yx S. C.** Incorporating Audubon Society; game birds not to be exported; packages containing game to be labeled; nonresident hunter's license \$10; game wardens. Rep. '06 ch.54. 15§ '07 ch.315, 19 Feb.
- yy Tenn.** Joint legis. committee of 5 to investigate receipts and disbursements of Dept. of Game, Fish and Forestry. '07 p.2238, 2 Feb.
- yz Tenn.** Generally amdg. game laws. 21§ '07 ch.185, 26 Mar.
- z Tenn.** To protect fish and encourage their propagation. 16§ '07 ch.489, 15 Apr.
- za Tex.** Amdg., rep., adding sundry arts. of R.C.S.'95, Pen.C.'95 rel. to duties of Fish and Oyster Comr. 15§ '07 ch.126, 18 Apr.
- zb Tex.** Title of Fish and Oyster Comr. changed to Game, Fish and Oyster Comr.; \$700 additional salary; to enforce game laws; deputies; nonresident hunting license \$15. 14§ '07 ch.137, 18 Apr
- zc Tex.** Game law. 16§ '07 ch.144, 19 Apr.
- zd U.** Amdg. '05 ch.118 §11, 14, 19, 23, 26, 29 rel. to fish and game. 6§ '07 ch.118, 23 Mar.
- ze Vt.** Compensation for damage to crops etc. by deer. 3§ '06 ch.156, 15 Dec.
- zf Vt.** Generally amdg. laws rel. to fish and game. 15§ '06 ch.152, 19 Dec.
- zg Vt.** Allowing Fish and Game Comr. expenses for telephone, telegraph, freight and express; increases annual appropriation from \$5000 to \$5500. Amds. '04 ch.118 §2, 8. 2§ '06 ch.153, 19 Dec.
- zh Wash.** Declaring unconst. '05 ch.172 in so far as it provides for election of game wardens by county comrs. County officers must be elective. State ex rel. Snodgrass v. Savage 92 P. 409 (1907)

# N. Y. STATE LIBRARY INDEX OF LEGISLATION 1907

1900

- zi** **Wash.** Amdg. '90 p.233 §6: salary of Fish Comr. \$2400 [\$2000]; deputies \$1500 [\$1200]; *gen. supt. of hatcheries* \$1800. 1§  
'07 ch.87, 9 Mar.
- zj** **Wash.** Amdg. 90 p.233 §5: Fish Comr. to report to Gov. *Mar.* [Dec.] 31. 1§  
'07 ch.189, 15 Mar.
- zk** **Wash.** Taking of food fish. Amds. '99 ch.117 §2, '05 ch.170 §3; rep. '05 ch.170 §4. 8§  
'07 ch.247, 19 Mar.
- zn** **Wis.** Amdg. S.'98 §4560a subdiv.10 rel. to fishing in Lakes St Croix and Pepin and Mississippi river. Rep. '05 ch.466; '05 ch.469 §12. 2§  
'07 ch.130, 23 May
- zp** **Wis.** Confiscated game to be sold at auction; purchaser to receive certificate of legality of sale; must be consumed in 3 days; not to be resold. Adds S.'98 §4560a subdiv. 11; rep. '03 ch.437 §22. 2§  
'07 ch.287, 20 June
- zq** **Wis.** Minimum weight of pike and fiddler catfish, and length of black bass that may be taken. Adds S.'98 §4560a subdiv. 5. 1§  
'07 ch.382, 25 June
- zr** **Wis.** Fishing in outlying waters. Adds S.'98 §4560a subdiv. 25-32; rep. '05 ch.489 §9, 27-33, ch.403; '03 ch.437 §19; S.'98 §4561. 9§  
'07 ch.471, 1 July
- zs** **Wis.** Amdg. S.'98 §1497a: salary of Supt. of Fisheries \$2500 [\$2000]. 1§  
'07 ch.548, 10 July
- zt** **Wis.** Powers of game warden: seizure of game; arrest and search without warrant; penalty for resisting. Adds S.'98 §4560a subdiv. 23; rep. §4560h. 2§  
'07 ch.649, 15 July
- zu** **Wis.** Memorializing Cong. to enact uniform game law.  
'07 p.1284
- zv** **Wy.** Prohibiting destruction of game animals for heads and horns. Rep. R.S. §2104. 5§  
'07 ch.47, 16 Feb.
- zw** **Wy.** Generally amdg. R.S.'99 §2105-10, 2114 rel. to game and fish. 7§  
'07 ch.102, 20 Feb.

1904

## Enforcement. Fines

For game wardens *see* 1900

- a** **Ct.** Penalties for violations of fish and game laws; fees of officers. Amds. G.S.'02 §3100, 3134; rep. §3159. 5§  
'07 ch.239, 27 July
- b** **Mass.** Amdg. R.L. ch.92 §20 rel. to disposition of fines and forfeitures accruing under game laws. 1§  
'07 ch.300, 15 Apr.
- c** **Neb.** Amdg. C.S.'05 §3603 rel. to possession of protected game in closed season: no penalty for having in possession elk, deer or antelope; for selling or offering for sale, \$25-\$100. 2§  
'07 ch.60, 23 Feb.
- d** **Neb.** Amdg. C.S.'05 §3601, rel. to penalty for violation of game law: \$5 or 60 days; \$5 for pursuing protected bird. 2§  
'07 ch.59, 4 Mar.
- e** **N. J.** Amdg. '97 ch.41 §8: fines under game law to be paid to *State Treasurer* [1/3 each to complainant, Game Comrs., informers]. 1§  
'07 ch.262, 2 Oct.

# GAME AND FISH

1904

- f **N. Y.** Amdg. forest, fish and game law '00 ch.20 §188: private persons [except owner of land where incurred] may sue for penalties in own name. 1§ '07 ch.96, 3 Apr.
- g **N. Y.** Amdg. forest, fish and game law '00 ch.20 §69 rel. to penalties for illegal fishing. 1§ '07 ch.656, 20 July
- h **Or.** Providing gasoline patrol boats to protect salmon fisheries in Columbia river. 6§ '07 ch.38, 16 Feb.
- i **Wis.** Game warden may arrest without warrant and enter premises without search warrant; penalty for resisting. Adds S.'98 §4560a subdiv. 23; rep. §4560h. 3§ '07 ch.313, 12 June
- j **Wis.** Penalty for violation of fish or game laws, where none other prescribed, 60 days or \$50. 1§ '07 ch.577, 11 July

1906

## License to hunt or fish

- a **Cal.** Hunting licenses: resident \$1, nonresident citizen of U.S. \$10, alien \$25; penalty. 11§ '07 ch.206, 13 Mar.
- b **Col.** Amdg. Ann. S.'91 §2063h-4 rel. to county clerk's fee for issuing hunting license. 2§ '07 ch.186, 9 Apr.
- c **Ct.** License to hunt: for resident \$1, nonresident \$10, alien \$15; to be used for preservation of game; penalties. 5§ '07 ch.153, 27 June
- d **Fla.** Nonresident license to take fish by net or set device \$10; to engage in fish business \$300; penalty. 6§ '07 ch.73, 3 June
- e **Me.** Unnaturalized foreign born person not resident for 2 years nor taxpayer to obtain license to hunt or fish; \$15 fee; penalty. 4§ '07 ch.118, 26 Mar.
- f **Mass.** Nonresident hunters license; fee \$10, exceptions; penalties. 7§ '07 ch.198, 13 Mar.
- g **Mich.** Nonresident hunting license \$10; additional to license to kill deer. 8§ '07 ch.267, 27 June
- h **Mon.** Resident fishing license abolished; regulations rel. to license to hunt or fish. 11§ '07 ch.142, 7 Mar.
- i **Or.** License of canners of and dealers in salmon and sturgeon; annual catch to be reported; penalty. 13§ '07 ch.55, 19 Feb.
- j **Or.** Amdg. Ann. C. & S. §4092: applicants for license to catch salmon and sturgeon to make affidavit as to qualifications; penalty. 1§ '07 ch.73, 23 Feb.
- k **R. I.** Nonresident hunters license; fee \$10; to members of clubs owning real estate \$1; freeholders to amount of \$1000 exempt. 7§ '07 ch.1456, 23 Apr.
- n **Vt.** Nonresident license, fee \$5, to hunt partridge, woodcock, quail, duck, snipe, goose or plover; additional \$10 to hunt deer; taxpayers on real estate in state living there 3 months in year excepted; penalty \$5 to \$100. 2§ '06 ch.155, 18 Dec.
- p **Wis.** Penalty for hunting without license on person; refusal to display prima facie evidence of not having same. Adds S.'98 §1498a subdiv. 1; rep. '99 ch.312 §14, 14a. 2§ '07 ch.394, 25 June

1906

- q Wy.** State Examiner may require justice of peace to give additional surety company bonds to secure hunters license fees; state to pay premium. 2§ '07 ch.34, 15 Feb.
- r Wy.** Amdg. R.S.'99 §2122: *State Examiner* [county comrs.] to furnish justices of peace with hunters license blanks; *stubs to be returned*. 2§ '07 ch.36, 15 Feb.

1907

**Shipment and sale. Purpose of taking. Amount**

- a Me.** Licensees to deal in skins of wild animals. Amds. R.S.'03 ch.32 §30. 2§ '07 ch.126, 26 Mar.
- b Mich.** Amdg. '05 ch.257 §20: lawful to possess carcass of deer 30 [5] days after close of season; *transportation company not to receive game after 48 hours following closing of season*. 1§ '07 ch.235, 27 June
- c N. Y.** Amdg. forest, fish and game law '00 ch.20 §8: carcass of deer not to be transported Nov. 4 [19] to Sept. 15 [30]. 1§ '07 ch.666, 20 July
- d Vt.** Fish or game from private pond or reserves may be sold at any time. 1§ '06 ch.157, 10 Dec.
- e Wis.** Possession and shipment of carcass and parts of deer. Adds S.'98 §4560a subdiv. 16, 17; rep. '99 ch.311 §14. 3§ '07 ch.414, 26 June
- f Wis.** Shipment of fish or game to be labeled with name and address of shipper and of consignee and pounds of fish or number of each variety of game; shipper to give receiving agent signed statement as to being consignor; penalties. Adds S.'98 §4560a subdiv. 36, 37; rep. '99 ch.312 §19-21. 3§ '07 ch.611, 12 July

1908

**Trespass. Private lands. State waters**

- a Ala.** Msdr. to fish on premises of another without written permit; penalties; half of fines to go to fish warden. 1§ '07 p.725, 13 Aug.
- b Cal.** Establishment of game preserves on lands of patent owners: owner may convey right to state for not over 5 years; game not to be taken thereon; penalty. 3§ '07 ch.433, 21 Mar.
- c Ind.** Amdg. '05 ch.169 §593 prohibiting hunting of deer, turkey, pheasant: not to apply to deer raised in private park. 1§ '07 ch.219, 9 Mar.
- d Kan.** Msdr. to hunt, fish or loiter on inclosed premises of another. 2§ '07 ch.195, 11 Mar.

1909

**Game**

General laws are put under 1900.

See also 1856, Noxious animals

1910

**Propagation. Game preserve**

- a Pa.** Perpetual closed season on reserves set apart by Game Comrs.; not to exceed 9 miles in circumference not closer than 25 miles, well defined and posted; prosecution; penalties. 5§ '07 ch.64, 15 Apr.

## GAME

1911

### Close season

- a Neb.** Amdg. C.S.'05 §3592-99 rel. to open season for game and fish. 2§ '07 ch.58, 5 Apr.

1913

### Big game

- a Wis.** Amdg. S.'98 §4562d: unlawful to kill moose; to make salt lick or erect scaffold to hunt deer; nonresident to kill but 1 deer in season; penalties. 1§ '07 ch.259, 19 June

1915

### Antelope

- a Mon.** Amdg. '05 ch.52 §2: killing of 1 antelope between Sept. 1 and Dec. 1 and of beaver entire year permitted. 1§ '07 ch.166, 8 Mar.

1919

### Deer

- a Ark.** Amdg. S.'04 §3611: sale and possession of deer raised in captivity authorized at all times. 2§ '07 ch.43, 23 Feb.
- b Ct.** Amdg. G.S.'02 §3114, 3119: owner of premises may kill deer destroying crops; penalty for illegal killing of deer \$100 [\$500]. 2§ '07 ch.218, 17 July
- c Mass.** Amdg. R.L. ch.92 §17 rel. to protection of deer: farmer may kill deer found destroying crops; must report same to town clerk; penalty. 1§ '07 ch.307, 18 Apr.
- d Mich.** Amdg. '05 ch.257 §20: lawful to possess carcass of deer 30 [5] days after close of open season; *transportation company not to receive game after 48 hours following closing of season.* 1§ '07 ch.235, 27 June
- e Mon.** Close season for deer Dec. 15 to Sept. 1; same person not to kill more than 3 deer in season. 2§ '07 ch.124, 6 Mar.
- f N. H.** Amdg. '01 ch.79 §16 rel. to killing deer in various counties. 2§ '07 ch.130, 5 Apr.
- g N. Y.** Amdg. forest, fish and game law '00 ch.20 §2 rel. to close season for deer: Nov. 1 [16] to Sept. 15 [30]; not to be taken in water. 1§ '07 ch.668, 20 July
- h Or.** Amdg. Ann. C.& S. §2010 rel. to hunting deer: prohibits killing deer pursued by hounds, possession of carcass in closed season, injuring dogs in pursuit; penalties. 1§ '07 ch.182, 25 Feb.
- i Pa.** Open season for deer Nov. 15 to Dec. 1; possession of carcass; prosecution; penalties. 4§ '07 ch.61, 15 Apr.
- j Wash.** Prohibiting hunting pheasant from Dec. 31 to Sept. 30; permitting hunting deer without dogs on islands during Oct. 3§ '07 ch.222, 16 Mar.
- k Wis.** Unlawful to hunt with dog or have dog about hunting or logging camp in county having open season for deer; confiscation; penalty. Adds S.'98 §4560a subdiv.20; rep. '01 ch.358 §15. 3§ '07 ch.201, 12 June
- n Wis.** Amdg. S.'98 §1498q: nonresident hunting license to have 1 [2] deer transportation coupon. 1§ '07 ch.311, 20 June
- p Wis.** Possession and shipment of carcass and parts of deer. Adds S.'98 §4560a subdiv. 16, 17; rep. '99 ch.311 §14. 3§ '07 ch.414, 26 June

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1921

## Elk

- a **Cal.** Felony to kill elk; penalty 2 years. Adds §599f to Pen. C.; rep. §599. 2§ '07 ch.365, 19 Mar.
- b **Wy.** Memorializing Benevolent and Protective Order of Elks to discourage use of elk tusks as emblems. '07 p.196, 16 Feb.

1927

## Small game

- a **Fla.** Amdg. '05 ch.57 §1: open season for otter and beaver *Nov.* [Dec.] to *Feb.* [Mar.]. 1§ '07 ch.72, 22 May
- b **Vt.** Amdg. S. §4611: beaver *or* otter not to be killed; penalty \$20. 1§ '06 ch.154, 22 Nov.
- c **Wis.** Taking of certain fur bearing animals. Adds S.'98 §4565c subdiv.1; rep. §4565c. 4§ '07 ch.567, 11 July

1929

## Beaver

- a **Mon.** Amdg. '05 ch.52 §2: killing of 1 antelope between Sept. 1 and Dec. 1 and of beaver entire year permitted. 1§ '07 ch.166, 8 Mar.

1935

## Muskrat

- a **Me.** Close season for muskrat May 1 to Dec. 1; exceptions; penalty. 3§ '07 ch.130, 26 Mar.

1939

## Rabbit. Squirrel

- a **Ind.** Amdg. '05 ch.169 §601: close season for squirrel *Nov.* to *July* [Jan. to Aug.]. 1§ '07 ch.94, 2 Mar.
- b **Me.** Close season for black and gray squirrels for 4 years. 1§ '07 ch.85, 20 Mar.
- c **Mass.** Close season for gray squirrels *Dec.* [Mar.] 1 to Oct. 1. Amds. R.L. ch.92 §9. 1§ '07 ch.166, 4 Mar.
- d **N. H.** Killing of gray squirrels prohibited till 1913; penalty. 1§ '07 ch.76, 22 Mar.
- e **Pa.** Open season for rabbits Oct. 15 to Dec. 1; landowners suffering damage excepted; use of ferrets prohibited; prosecution; penalties. 3§ '07 ch.62, 15 Apr.
- f **Pa.** Lawful to sell Belgian hare from Oct. 1 to Apr. 15. 2§ '07 ch.291, 6 June
- g **Wis.** Amdg. '05 ch.405 §1 to be S.'98 §4565c subdiv.1: msdr. to hunt rabbits with ferrets [in certain counties]; *owner, or person having his written consent, not prohibited on own land.* 1§ '07 ch.609, 12 July

1944

## Birds

- a **Ct.** Amdg. G.S.'02 §3135: quail, woodcock and partridge not to be taken before Oct. 1, 1911 [1907]. 1§ '07 ch.70, 7 May
- b **N. H.** Prohibiting killing of wood duck, killdeer plover and upland plover for 5 years; penalty. 1§ '07 ch.52, 7 Mar.

1947

## Game birds

- a **Wis.** Amdg. S.'98 §4565b subdiv. 1: game birds defined. 1§ '07 ch.544, 10 July

## GAME

1947

- b Wis.** Number of game birds to be killed or possessed and transportation thereof. Adds S.'98 §4560a subdiv.22; rep. '99 ch.312 §17, 18; '05 ch.406. 7§ '07 ch.586, 12 July

1949

### *Anatidae*

Waterfowl: swan, goose, duck, brant

- a Ct.** Close season for ducks, geese, brant and swans Jan. 1 to Aug. 31; restrictions on method of taking; penalty. Rep. G.S.'02 §3120-21. 4§ '07 ch.72, 7 May
- b Me.** Open season for duck extended through Dec.; unlawful to bed or feed duck; penalty. 2§ '07 ch.158, 27 Mar.
- c Mich.** Amdg. '05 ch.257 §13: open spring season for duck, geese etc. Mar. 2 [15] to Apr. 25 [10]. 1§ '07 ch.170, 18 June
- d Pa.** Closed season for wild waterfowl Apr. 10 to Sept. 1; none but rowboats to be used; prosecution; penalties. 5§ '07 ch.57, 15 Apr.
- e Wis.** Amdg. S.'98 §4563 rel. to close season for aquatic fowl. 1§ '07 ch.315, 21 June
- f Wis.** Methods of pursuing aquatic fowl; penalty. Adds S.'98 §4563b subdiv. 1; rep. §4563a-b. 3§ '07 ch.415, 26 June

1950

### *Gallinae*

Black game, capercaillie, grouse, partridge or ruffed grouse, pheasant, prairie chicken, ptarmigan, quail, sage fowl, wild turkey

- a Col.** Appropriating \$2000 for importation of grouse; close season for 5 years. 5§ '07 ch.50, 20 Apr.
- b Id.** Amdg. '99 p.428 §7: close season for grouse Dec. 1 to Aug. 15. 2§ '07 p.474, 14 Mar.
- c Ia.** Close season for pheasant till Oct. 1915. 2§ '07 ch.134, 4 Apr.
- d Kan.** Close season for 6 years for Hungarian partridge, English, Mongolian and Chinese pheasant. 3§ '07 ch.218, 25 Feb.
- e Mich.** Unlawful to kill European partridge for 5 years. 2§ '07 ch.311, 28 June
- f Pa.** Amdg. '05 ch.180 §6, 23 rel. to protection of certain game birds: ruffed grouse included; hunting at night or with gun not held at arms length and fired from shoulder prohibited; prosecution; penalties. 3§ '07 ch.63, 15 Apr.
- g S. D.** Close season for pheasants till 1915. 5§ '07 ch.157, 7 Mar.
- h S. D.** Close season for quail till 1912. 3§ To be submitted for referendum vote Nov. 1908. '07 ch.158, 7 Mar.
- i Wash.** Prohibiting hunting pheasant from Dec. 31 to Sept. 30; permitting hunting deer without dogs on islands during Oct. 3§ '07 ch.222, 16 Mar.
- j Wis.** Amdg. S.'98 §4562c-f rel. to hunting upland game birds. 2§ '07 ch.627, 15 July
- k Wy.** Amdg. '01 ch.52 §1-2: close season for quail till Sept. 1912. 2§ '07 ch.35, 15 Feb.

1952

*Shore birds*

Woodcock, plover, snipe, sand piper, curlew

- a Ct. Amdg. G.S.'02 §3126: close season for shore birds, snipe, plover, gallinule and mud hen *Jan.* [April] 1 to Aug. 31; for rail *Jan.* [April] 1 to *Sept. 11* [Aug. 31]. 1§ '07 ch.71, 7 May
- b N. J. Amdg. '03 ch.246 §10: unlawful to hunt reed birds at night. 1§ '07 ch.32, 10 Apr.

1953

**Other than game birds. Song and insectivorous. Plume**

*See also* 1598, Arbor and Bird day

- a Ct. Wardens to have same powers rel. to nongame as to game birds. 1§ '07 ch.73, 7 May
- b Mass. Unlawful to hunt loons in fresh water or eagles anywhere; penalty \$20. 2§ '07 ch.118, 16 Feb.
- c Mass. Lawful to kill certain birds of prey. Amds. R.L. ch.92 §7 and '02 ch.127 §1. 2§ '07 ch.250, 28 Mar.
- d Pa. Prohibiting destruction or possession of song and insectivorous birds and their eggs; exceptions; penalties; prosecution. 5§ '07 ch.149, 8 May
- e S. D. Unlawful to kill or take wild birds or destroy nests or eggs; game and certain others excepted; license for scientific purposes; penalty. 11§ '07 ch.159, 26 Feb.
- f W. Va. Msdr. to kill or possess bird other than game, or destroy eggs or nests thereof; exceptions. 11§ '07 ch.57, 26 Feb.

1957

*Plume birds*

Grebe, gull, tern, pelican, egret, heron

- a Mass. Prohibiting taking or killing any kind of gull at any time. Amds. R.L. ch.92 §5. 1§ '07 ch.99, 14 Feb.

1959

**Fish**

General laws are put under 1900.

1961

**Fish culture**

- a Ala. Memorializing Cong. to establish fish hatchery in state. 1§ '07 p.476, 13 July
- aa Cal. Bds. of supervisors may maintain fish hatcheries. 1§ '07 ch.415, 21 Mar.
- b Cal. Fish Comrs. may acquire railway car for distribution of fish; \$7500. 2§ '07 ch.426, 21 Mar.
- c Ct. Comrs. of Fisheries and Game to expend \$1000 annually for propagation of small-mouth black bass and yellow perch. 1§ '07 ch.154, 26 June
- d Id. Establishment of fish hatchery; distribution of fish; supt.; \$15,000. 7§ '07 p.299, 12 Mar.
- e Me. Comrs. of Inland Fisheries and Game may take land for fish hatcheries; procedure. 3§ '07 ch.159, 27 Mar.



## FISH

1961

- f **Mass.** Amdg. R.L. ch.91 §19: Comrs. to stock great ponds on petition of mayor and aldermen of city or selectmen of town [and of 30 or more inhabitants] wherein pond is situated. 1§  
'07 ch.306, 18 Apr.
- g **Minn.** Establishing 3d State Fish Hatchery in township of Deerwood; \$6000. 4§  
'07 ch.275, 22 Apr.
- h **Mon.** Creating Mon. State Fish Comm. to consist of State Game Warden and 2 appointees of Gov.; term 4 years; to erect hatchery; distribution of fish. 10§  
'07 ch.176, 8 Mar.
- i **Wis.** Amdg. '05 ch.484 §1 rel. to location of fish hatcheries. 1§  
'07 ch.207, 12 June
- j **Wy.** Amdg. R.S.'99 §2133 rel. to distribution of fish by supts. of fish hatcheries. 1§  
'07 ch.31, 15 Feb.

1963

### Fishways

- a **Wis.** Requiring fishways in dam interfering with passage of fish; regulations; penalty. Adds S.'98 §1479l-p. 2§  
'07 ch.488, 9 July

1964

### Close season

- a **Wis.** Close season for fish. Adds S.'98 §4560a subdiv. 12; rep. '01 ch.230 §4, '05 ch.489 §21-24. 3§  
'07 ch.355, 24 June

1966

### Special methods of fishing

- a **Ala.** Prohibiting use of explosives, nets or fish traps in waters of state; exceptions. 5§  
'07 p.46, 19 Feb.
- b **Ind.** Amdg. '01 ch.54 §2 providing for seizure and destruction of certain nets, traps and spears used in fishing. 2§  
'07 ch.247, 11 Mar.
- c **Mich.** Requiring license to fish in waters bordering state in vessel except rowboat; rates; penalty. 7§  
'07 ch.153, 17 June
- d **Pa.** Prohibiting fishing with gig or spear; exceptions; penalties. 3§  
'07 ch.103, 1 May
- e **Pa.** License to take suckers, catfish, carp and eels with fish baskets; regulations; penalties. 8§  
'07 ch.236, 29 May

1968

### Fishing through ice

- a **Ind.** Prohibiting ice fishing in lakes of 2 to 2½ square miles in area; penalties. 3§  
'07 ch.34, 21 Feb.
- b **N. J.** Prohibiting fishing through ice; eels excepted; penalty. 2§  
'07 ch.211, 15 May
- c **Pa.** Amdg. '01 ch.203 §2 rel. to lawful manner of fishing: pickerel and yellow perch (not to exceed 20 pounds per man) may be taken through ice with tip-ups. 1§  
'07 ch.11, 14 Mar.
- d **Wis.** Msdr. to place fishing house on ice; exceptions. Adds S.'98 §4560a subdiv.8. 2§  
'07 ch.151, 31 May

1971

### Seining. Nets

- a **Ct.** Amdg. G.S.'02 §3158 which prohibits fishing with nets in lakes: minnows for bait may be taken with net *not over 30 feet long and 5 feet wide*. 1§  
'07 ch.54, 17 Apr.

1971

- b **Ct.** Penalty for removal of fish from net or trap without owner's permission. 2§ '07 ch.78, 14 May
- c **Kan.** Amdg. '05 ch.267 §5: lawful to fish with seine in certain parts of Missouri and Kansas rivers. 2§ '07 ch.219, 11 Mar.
- d **Me.** Amdg. R.S.'03 ch.41 §40: net not to be set within 1000 [500] feet of mouth of weir. 1§ '07 ch.95, 21 Mar.
- e **Minn.** Amdg. '05 ch.186 rel. to licenses to fish with nets. 2§ '07 ch.315, 23 Apr.
- f **N. Y.** Amdg. forest, fish and game law '00 ch.20 §179: bds. of supervisors of *any* [Monroe and Tompkins] county may make further regulation for destroying nets illegally used. 1§ '07 ch.245, 30 Apr.
- g **N. Y.** Amdg. forest, fish and game law '00 ch.20 §65 rel. to issuing licenses for use of nets. 1§ '07 ch.745, 26 July
- h **Or.** Msdr. to seine for salmon or sturgeon; penalty \$50 to \$1000 and forfeiture of seine. 2§ '07 ch.89, 23 Feb.
- i **Wis.** Amdg. '05 ch.489 §20 rel. to dip nets: size; evidence; penalty. 1§ '07 ch.79, 4 May
- j **Wis.** Taking rough fish with dip nets. Adds S.'98 §4560a subdiv.6. 1§ '07 ch.347, 24 June

1973

*Explosives. Chemicals. Electricity*

- a **Wis.** Msdr. to fish with explosives or stupefying substances. Adds S.'98 §4560a subdiv.14; rep. §4560f. 2§ '07 ch.603, 12 July

1974

**Special kinds of fish**

- a **Ill.** Catching of whitefish, trout, herring, chubs, long jaws, black fins, perch, and other rough fish. 10§ '07 p.332, 17 May
- b **Me.** "An act for the better protection of alewives, shad and sturgeon in various rivers in Me." 8§ '07 ch.251, 14 Mar.
- c **Mass.** Urging federal legislation for extermination of dogfish. '07 p.1027, 21 Feb.

1977

**Bait minnows**

- a **Wis.** Lawful to take rough fish minnows for bait with seine. Adds S.'98 §4560a subdiv.38. 1§ '07 ch.612, 12 July

1978

**Bass**

- a **Del.** Amdg. '03 ch.372 §2 rel. to open season for black bass: *June 1* [Mar. 1] to *Mar. 1* [June 1]. 1§ '07 ch.148, 4 Mar.
- b **Mich.** Amdg. C.L.'97 §5869: unlawful to sell trout, grayling or bass. 1§ '07 ch.283, 27 June

1984

**Pickereel. Pike**

- a **N. Y.** Amdg. forest, fish and game law '00 ch.20 §140 subdiv.5: pickerel and pike defined further. 1§ '07 ch.57, 20 Mar.
- b **N. Y.** Amdg. forest, fish and game law '00 ch.20 §47 rel. to pickerel and pike: to apply to *all* [wall-eye and yellow] pike. 1§ '07 ch.100, 3 Apr.
- c **Wis.** Amdg. '05 ch.489 §2 which lists game fish: pickerel added. 1§ '07 ch.193, 7 June

## FISH

1986

### Salmon

- a Mich. Amdg. C.L.'97 §5861: close season for trout and land-locked salmon *Aug. 15* [Sept. 10] to *Apr. 15* [May 1].  
'07 ch.339, 28 June
- b Or. Amdg. Ann. C.& S. §2034-35 rel. to trout and salmon: close season; method of taking. 2§  
'07 ch.43, 16 Feb.
- c Or. Amdg. Ann. C.& S. §4071 rel. to closed seasons for salmon in coast streams. 1§  
'07 ch.134, 23 Feb.

1988

### Shad. Herring. Sardines

- a Ct. Amdg. G.S.'02 §3155: close season for shad June 21 to May 9 [Mar. 14; comr. may extend open season]. 1§  
'07 ch.147, 17 June

1996

### Trout

- a Mass. Amdg. R.L.ch.91 §66 rel. to sale of trout artificially reared: permitted from *Feb. 1* to *Apr. 15* [during Feb. and Mar.]. 1§  
'07 ch.296, 15 Apr.
- b Mich. Amdg. '05 ch.170 §3 rel. to sale and transportation of trout. 1§  
'07 ch.253, 27 June
- c Mich. Amdg. C.L.'97 §5861: close season for trout and land locked salmon *Aug. 15* [Sept. 10] to *Apr. 15* [May 1]. 1§  
'07 ch.339, 28 June
- d N. J. '03 ch.246 rel. to open season for trout: extended 2 months for associations owning waters and maintaining hatchery from which more trout are put in such waters than are taken out. 1§  
'07 ch.224, 27 May
- e N. Y. Amdg. forest, fish and game law '00 ch.20 §60: not more than 20 pounds of lake trout to be transported at one time. 1§  
'07 ch.176, 19 Apr.
- f Or. Amdg. Ann. C.& S. §2034-35 rel. to trout and salmon: close season; method of taking. 2§  
'07 ch.43, 16 Feb.
- g Wis. Amdg. S.'98 §4560c rel. to trout: close season *Sept. 1* [Aug. 15] to *Apr. 15* [May 1]; *not to apply to lake trout or trout raised in private hatchery.* § renumbered 4560a subdiv.13. 2§  
'07 ch.226, 15 June

2000

### Shellfish. Miscellaneous

- a Ct. Amdg. G.S.'02 §3215 rel. to grants of shellfish grounds: preservation of records. 1§  
'07 ch.66, 1 May
- b Ct. Amdg. G.S.'02 §3226-28 rel. to taxation of shellfish grounds. 3§  
'07 ch.148, 21 June
- c Ct. Amdg. G.S.'02 §3217: application for shellfish franchise to lapse at end of year unless request for grant accompanied by fees be forwarded to comrs. 2§  
'07 ch.149, 21 June
- d Ct. Amdg. G.S.'02 §3219 rel. to conveyance by state of right to plant shellfish in beds under state jurisdiction: *to be recorded on official map in office of Shellfish Comm.* [grantee to mark with buoys and stakes]. 1§  
'07 ch.183, 5 July

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2000

- e Fla. Close season for loggerhead and green turtle May-Aug. 3§ '07 ch.74, 25 May
- f N. H. Prohibiting taking conch by nonresidents; penalty. 1§ '07 ch.117, 4 Apr.

2001

## STATE DEPARTMENT

- a Ct. Amdg. G.S.'02 §3209-10, 3229 rel. to Shellfish Comrs.: compensation, clerk, bond. Rep. §3216. 4§ '07 ch.190, 29 June
- b N. J. Amdg. '03 ch.256 §1: appointment of Chief of Bureau of Shell Fisheries. 1§ '07 ch.113, 30 Apr.

2002

## SHELLFISH CULTIVATION

- a Me. Comr. of Sea and Shore Fisheries may experiment in regard to conservation of shellfish industry; \$2000. 1§ '07 ch.122, 26 Mar.

2003

## Contaminated waters

*See also 1079, Pollution of water*

- a Mass. Bds. of Health may issue permit to take clams and quahaugs from contaminated waters for bait only; regulations; penalties. 4§ '07 ch.285, 9 Apr.

2007

## Clams

- a Me. Amdg. R.S.'03 ch.41 §34 regulating taking of clams: size of clam bait barrel; penalty. 1§ '07 ch.125, 26 Mar.
- b N. H. Towns may regulate digging clams; foreign shipment prohibited; penalty. 4§ '07 ch.84, 26 Mar.
- c Wash. Amdg. '05 ch.163 §1: close season for clams June 1 [May 1] to Aug. 31. 1§ '07 ch.154, 13 Mar.

2009

## Lobsters

- a Ct. Amdg. G.S.'02 §3104: owner of lobster pots to report to Comrs. of Fisheries and Game annual catch. 1§ '07 ch.79, 21 May
- b Ct. Prohibiting lobster fishing without permit from Comrs. of Fisheries and Game; penalty. 3§ '07 ch.106, 5 June
- c Me. Amdg. R.S.'03 ch.41 §17 rel. to measurement of lobsters. 1§ '07 ch.49, 11 Mar.
- d Mass. Amdg. R.L. ch.91 §88 prohibiting possession of uncooked lobsters under 9 [10½] inches and cooked lobsters under 8 ¾ [10¼] inches. 1§ '07 ch.303, 17 Apr.

2011

## Oysters

- a N. J. Extending '99 ch.194 rel. to oyster culture to include parts of Raritan bay and Cheesapeake creek. 1§ '07 ch.97, 22 Apr.
- b N. C. Protection of oysters. Rep. and amds. sundry § of Revision '05 ch.58. 14§ '07 ch.969, 11 Mar.
- c Or. Protecting oyster industry: natural beds under supervision of Fish Comrs.; regulations; penalty. 10§ '07 ch.217, 25 Feb.

2012

## STATE DEPARTMENTS. OFFICERS

- a N. J. Amdg. '01 ch.99 §1 rel. to oyster propagation: director of Agric. Experiment Station to procure specially equipped boat, engage experts, and report annually to Gov.; \$1200 [\$200]. 1§ '07 ch.187, 13 May

## MINES AND MINING

2013

### *Bids. Grounds*

- a **Ct.** Amdg. G.S.'02 §3248: designated oyster grounds to be marked by buoys *not more than 800 feet* apart. 1§ '07 ch.177, 28 June

2016

### *Taxation. License*

- a **Ct.** Amdg. G.S.'02 §3234 rel. to license for oyster vessel: \$5 [\$2] under 5 tons displacement, \$1.50 [50c] for each ton extra. 1§ '07 ch.132, 14 June

2017

### **Scallops**

- a **Mass.** Seed scallops must be returned alive to tide water 3 feet deep; penalty. 4§ '07 ch.797, 15 Apr.

2020

## Mines and mining

*See also* 500, Corporations; 846, Taxation; 2349, Mining schools. For labor in mines *see* 2040, Labor

- a **Cal.** Committee of 3, appointed by Gov. to urge mining legislation by Cong. '07 p.1276, 8 Mar.
- b **Cal.** Urging Cong. to create dept. of mines. 2§ '07 p.1367, 14 Mar.
- c **Cal.** Amdg. '93 ch.173 §2: Trustees of State Mining Bureau to receive traveling expenses when attending meetings. 1§ '07 ch.509, 23 Mar.
- d **Col.** Requesting Cong. to publish and distribute U. S. geological survey of Leadville mining district. '07 p.633, 2 Apr.
- e **Col.** Amdg. G.S.'83 §189 rel. to appointment of Coal Mine Inspector. 1§ '07 ch.121, 9 Apr.
- f **Col.** Quarterly inspection of coal mines; inspector to report biennially to Gov. 2§ '07 ch.120, 13 Apr.
- g **Id.** Urging Cong. to establish dept. of mining. '07 p.582, 5 Mar.
- h **Ind.** Joint legis. committee of 7 to investigate explosions at Rosebud and Deering mines and prevention of similar accidents; Inspector of Mines, United Mine Workers of America district 11, and coal operators may participate; report at present session. 6§ '07 ch.296, 25 Jan.
- i **Ia.** Amdg. C. §2483 as to salary of mine inspector: \$1800 [\$1500]. 1§ '07 ch.120, 4 Apr.
- j **Minn.** Rep. R.L.'05 §2486-88 rel. to permits to prospect for iron ore on state land. 1§ '07 ch.14, 13 Feb.
- k **Minn.** Mines, quarries and mineral deposits may be worked by owners of majority of land where situate; net income to be divided pro rata; rights. 10§ '07 ch.177, 15 Apr.
- n **N. D.** Experimental tests by School of Mines for encouragement of mineral industries; biennial report. 1§ '07 ch.236, 4 Mar.
- p **N. D.** Amdg. R.C.'05 §4516: stockholder of mining corp. may examine books *with aid of expert accountant*. 1§ '07 ch.55, 12 Mar.
- q **N. D.** Annual license for coal mine \$5; certain statistics to be reported to Comr. of Agric.; penalty. 4§ '07 ch.50, 13 Mar.

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## 2020

- r** **N. D.** Amdg. R.C.'05 §7608-9: State Engineer to be State Coal Mine Inspector; duties. 2§ '07 ch.52, 14 Mar.
- s** **Pa.** Chief of Dept. of Mines may employ 2 additional clerks at \$1400, 1 stenographer at \$1200. 1§ '07 ch.126, 7 May
- t** **Pa.** Comn. of 5 appointed by Gov. to consist of 2 operators, 2 mine workers and 1 expert without pecuniary interest; to revise bituminous mine laws; report to next Legis.; \$5000. '07 p.832, 14 June
- u** **S. D.** Amdg. P.C. §151 rel. to salary of Inspector of Mines: \$1600 [\$1200]. 2§ '07 ch.169, 9 Mar.
- v** **Tex.** Creating State Mining Bd. of 7 appointed by Gov. for 2 years, \$5 per diem; to nominate to Gov. State Mine Inspector and receive reports of latter; salary of inspector \$1500; coal mine regulations. 21§ '07 ch.178, 30 Apr.
- w** **W. Va.** Legis. committee of 5 to investigate mine disaster; report before Feb. 18, 1907. '07 p.428, 6 Feb.  
Time for report extended through vacation. '07 p.434, 16 Feb.
- x** **W. Va.** Creating Dept. of Mines; under chief appointed by Gov. and Senate for 4 years, salary \$2400; to provide more efficient system of inspection; regulations for mining operations. 27§ '07 ch.78, 27 Feb.
- y** **Wis.** Wis. Geological and Natural History Survey to survey lead and zinc region and water power; \$20,000. Adds S.'98 §392m. 1§ '07 ch.641, 15 July

## 2026

### *Eminent domain. Right of way*

- a** **U.** Amdg. R.S.'98 §3588 rel. to uses for which eminent domain may be exercised: quarries or mineral deposits included. 1§ '07 ch.114, 14 Mar.

## 2027

### *Fraud. Larceny*

- a** **Nev.** Regulating purchase of ore. 6§ '07 ch.167, 29 Mar.
- b** **Nev.** Assayer to keep records; procedure to recover stolen ore. 5§ '07 ch.193, 29 Mar.

## 2029

### *Mineral exhibit*

- a** **Ari.** Bds. of supervisors may expend \$1000 for mineral exhibits at Territorial Fair. 1§ '07 ch.56, 21 Mar.
- b** **Col.** Gov., President of Denver chamber of Commerce and President of American Mining Cong. to compose committee to erect American Temple of Mining in Denver for exhibition of minerals of U. S.; under management of American Mining Cong.; \$10,000 when \$100,000 is contributed by individuals. 6§ '07 ch.61, 17 Apr.
- c** **U.** Creating International Mining Exposition Comn. to consist of Gov. and 4 appointed by him and Senate; to exhibit state's mineral resources at N. Y. 1908; \$2000. 9§ '07 ch.138, 23 Mar.

## 2030

### *Mining claims. Property rights*

- a** **Ari.** Amdg. R.S.'01 §3241 rel. to relocation of mines. 2§ '07 ch.22, 12 Mar.
- b** **Mich.** Amdg. C.L.'97 §7021: mining corp. may hold *all* real property *necessary* [not to exceed 58,000 acres]. 1§ '07 ch.162, 18 June

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2030

- c **Mon.** Locating, recording and holding possession of mining claims on public domain of U. S. in state. Rep. P.C. §3610-12, 3615. 13§ '07 ch.16, 18 Feb.
- d **Nev.** Prospecting and location of claim on private land. Supplements '75 ch.57. 5§ '07 ch.65, 14 Mar.
- e **Nev.** Mining district recorder and county recorder to give locator of mining claim receipt of certificate on filing; penalty. 5§ '07 ch.91, 20 Mar.
- f **Nev.** Requiring recording of grubstake contracts to affect third parties. 1§ '07 ch.174, 29 Mar.
- g **Nev.** Felony to date location notice of mining claim falsely. 2§ '07 ch.177, 29 Mar.
- h **Nev.** Amdg. C.L.'00 §208-10 rel. to location of lode and placer claims. 3§ '07 ch.194, 29 Mar.

2031

### *Ore analysis*

- a **U.** Amdg. R.S.'98 §4401 rel. to false assays: assayers, samplers and dealers required to keep records of ore handled. 1§ '07 ch.16, 4 Mar.
- b **Wy.** Rates for making assays at University of Wy. 1§ '07 ch.79, 20 Feb.

2035

### **Petroleum. Gas**

*See also 1493, Petroleum products (inspection)*

- a **Ill.** Forfeited oil or gas leases must be released of record within 60 days; action to compel release. 2§ '07 p.400, 27 May
- b **Mich.** Incorpor. of company for prospecting for and refining oil. 1§ '07 ch.167, 18 June

2036

### *Pipe lines*

- a **W. Va.** Amdg. C. ch.42 §18, 20: pipe line companies granted right of eminent domain. 2§ '07 ch.74, 19 Feb.
- b **W. Va.** Amdg. C. ch.52 §11: crossing of railroad, turnpike, canal or pipe line companies. 1§ '07 ch.43, 26 Feb.

2040

## Labor

*See also 20, Bureaus of statistics; 354, Convict labor*

- a **Cal.** Comr. of Bureau of Labor Statistics to appoint deputy with powers of comr. at \$1800; 6 assistants at \$4 per day; salary of comr. \$3000. Amdg. '83 ch.21 §9, 10. 2§ '07 ch.242, 15 Mar.
- b **Ct.** Female deputy factory inspector, to look after welfare of female employees; \$5 per diem; Gov. to appoint Advisory Comn. of 3 women, for 6 years, to recommend appointees. 5§ '07 ch.241, 30 July
- c **Ill.** Creating separate Dept. of Factory Inspection; duties; salaries. Rep. '93 p.99 §9. 3§ '07 p.310, 3 June
- d **Ia.** Amdg. '04 ch.85 §1 rel. to salary of Comr. of Bureau of Labor Statistics and deputy: \$1800 [\$1500]; \$1500 [\$1200]. 1§ '07 ch.126, 10 Apr.
- e **Ia.** Amdg. '04 ch.85 §1 rel. to compensation of office clerk of Bureau of Labor Statistics. 1§ '07 ch.127, 13 Apr.

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- f **Kan.** Amdg. '05 ch.488 §24 rel. to salaries of Comr. of Bureau of Labor and assistants. 2§ '07 ch.401, 1 Mar.
- g **Mass.** Chief of Bureau of Statistics of Labor to appoint 2 clerks to have charge of compilation of mun. returns. 1§ '07 ch.79, 7 Feb.
- h **Mass.** Medical and surgical appliances to be kept in factories: penalty. 2§ '07 ch.164, 1 Mar.
- i **Mass.** Amdg. R.L. ch.108 §8 rel. to inspection of factories and mercantile establishments. 1§ '07 ch.413, 14 May
- j **Mass.** Amdg. R.L. ch.104 §25, 41: factories to be well lighted and cuspidors provided of number and form approved by local bd. of health. 2§ '07 ch.503, 13 June
- k **Mich.** Welfare and safety of employees in foundries; State Factory Inspector to enforce; penalty. 9§ '07 ch.152, 17 June
- n **Mich.** Amdg. '01 ch.113 §1-3, 10, 17 rel. to employment of women and children and health and comfort of employees in factories. 5§ '07 ch.169, 18 June
- p **Mich.** Amdg. C.L.'97 §4598, 4600 rel. to labor statistics. 2§ '07 ch.313, 28 June
- q **Minn.** *Bureau of Labor Industries and Commerce*; duties extended to enforcement of compulsory education law, and investigation of condition of commerce and agric.; salaries of deputies and employees. Adds R.L.'05 §1789, 1791-92, 1795-97. 10§ '07 ch.356, 23 Apr.
- r **Minn.** Comr. of Labor may appoint female inspector. 1§ '07 ch.456, 25 Apr.
- s **Mo.** Amdg. R.S.'99 10073-76, 10078-81, 10083-84 rel. to Bureau of Labor Statistics [and Inspection of Factories, Mines and Workshops]. 10§ '07 p.329, 19 Mar.
- t **Mo.** Amdg. '01 p.197 rel. to Factory Inspector. 5§ '07 p.326, 9 May
- u **N. J.** Amdg. '04 ch.64 §45: salary of Comr. of Labor \$3500 [\$2000], of assistant \$2000 [\$1500], of inspectors \$1500 [\$1000]. 1§ '07 ch.257, 27 June
- v **N. Y.** Amdg. labor law '97 ch.415 §30-37, 40-42, 60-63, 67-68, 140-48 rel. to organization of Dept. of Labor. 23§ '07 ch.505, 15 June
- w **N. Y.** Amdg. Pen.C. §384h, 384l rel. to violations of labor law. Rep. §384f. 3§ '07 ch.506, 15 June
- x **Or.** Amdg. '03 p.205 §10: salary of Comr. of Bureau of Labor Statistics and Inspector of Workshops and Factories \$2000 [\$1800]; may incur expense to enforce act [not to exceed \$800]; *biennial* [annual] report to Gov. and Legis. 1§ '07 ch.111, 23 Feb.
- y **Or.** Protection and health of employees in factories: belt shifters; guards for machinery; ventilation; open shafts; inspection and enforcement by Labor Comr.; fees; damages from injuries resulting from violation limited to \$7500; penalties. 12§ '07 ch.158, 25 Feb.
- z **Wash.** Amdg. '01 ch.74 §8: salary of Comr. of Labor \$2400 [\$1800]. 1§ '07 ch.203, 15 Mar.
- za **Wash.** Amdg. '05 ch.84 §1, 4, 5, 7, 11 rel. to protection and health of employees in factories etc. 5§ '07 ch.205, 15 Mar.



## LABOR

2040

- zb** Wis. Bureau of Labor and Industrial Statistics allowed temporary assistants; cost not to exceed \$2500 per year. 1§

'07 ch.524, 9 July

- zc** Wis. Amdg. S.'98 §170: salary of Factory Inspector \$1500 [\$1200] and expenses; of assistants \$1200 [\$1000] and expenses. 3§

'07 ch.528, 9 July

2046

### Comfort of employees

2048

#### *Washrooms and closets*

- a** N. Y. Amdg. labor law '97 ch.415 §88: washrooms and provision for drying clothes of employees required in brass and iron foundries. 1§

'07 ch.490, 11 June

2049

### Health of employees

- a** Ill. Comn. of 9 members, viz., State Factory Inspector, Sec. of Bureau of Labor Statistics, president and sec. of State Bd. of Health, 2 physicians and 3 other citizens to be appointed by the Gov. to investigate causes and conditions of occupational diseases and recommend legislation. '07 p.586, 20 Mar.

- b** Me. Amdg. R.S.'03 ch.40 §44 rel. to sanitary condition of factories etc.; inspector to notify employer to rectify such condition and, on refusal, to have it done at employer's expense. 1§ '07 ch. 77, 20 Mar.

2050

#### *Drinking water*

- a** R. I. Factories to furnish employees with drinking water; penalty. 2§

'07 ch.1429, 5 Apr.

2051

#### *Dust and gases*

- a** Mich. Upholstering and mattress establishments to instal hair picking machines on order of Comr. of Labor; penalty. 2§

'07 ch.252, 27 June

- b** N. Y. Amdg. labor law '97 ch.415 §86 rel. to ventilation of factories: specific provision as to excessive heat, steam, gases and dust. 1§

'07 ch.490, 11 June

- c** Wis. Amdg. '99 ch.189 §1, 5 rel. to carrying off dust from grinding machines and emery wheels in factory. 2§

'07 ch.115, 20 May

2052

### Safety of employees

*See also 2125, Employers liability*

- a** Ill. Employers to report to State Bureau of Labor Statistics accidental injury or death of employee; enforcement; penalty. 3§

'07 p.308, 24 May

- b** Mich. Corn husking machine to be provided with safety device to protect person feeding; penalty. 2§

'07 ch.124, 5 June

- c** Wis. Amdg. S.'98 §1021h: msdr. to remove safety device in factory and neglect to replace. 1§

'07 ch.112, 20 May

2053

**Bakeries and confectioneries**

*See also 1008, Confectionery*

- a **N. J.** Amdg. '05 ch.102 §8: Comr. of Labor may close unsanitary bakeries and mark same "unclean" by posting signs. 1§  
'07 ch.17, 29 Mar.
- b **Wis.** Amdg. '03 ch.230 §1-3, 6, 7 to be S.'98 §1636 subdiv. 61-63, 65, 67 rel. to sanitary regulation of bakeries and confectionery establishments. 5§  
'07 ch.486, 9 June
- c **Wis.** Amdg. '03 ch.230 §6 to be S.'98 §1636 subdiv. 66: salary of Bakery Inspector \$1200 [\$1000]. 1§  
'07 ch.530, 9 July

2054

**Building trades**

2056

*Safety of employees*

- a **Ct.** Protection of workmen employed on buildings; scaffold to have guard rail; laying of floors; penalty. 4§  
'07 ch.152, 21 June
- b **Ill.** Scaffolds, flooring, hoisting apparatus etc. in erection or repair of buildings; penalties; damages. 10§  
'07 p.312, 3 June

2056

**SCAFFOLDS**

- a **Pa.** Construction and maintenance of scaffolds in cities. 5§  
'07 ch.67, 15 Apr.

2061

**Lumber industry**

- a **Wash. Rep.** '95 ch.22 rel. to protection of knot sawyers. 1§  
'07 ch.175, 15 Mar.

2063

**Mines**

*See also 2020, Mines and mining*

- a **Ark.** Amdg. S.'04 §5354 rel. to misfeasance of coal mine inspector. 2§  
'07 ch.74, 9 Mar.
- b **Ill.** Amdg. '99 p.301 §1 rel. to coal mines: penalty for failure to provide map or plan. 1§  
'07 p.394, 25 May
- c **Ill.** Amdg. '99 p.301 §6-9, 18, 19: State Mining Bd. to be appointed by Gov. [State Comrs. of Labor]; examinations for inspectors, mine managers, hoisting engineers and mine examiners; minor amds. 6§  
'07 p.387, 27 May
- d **Ind.** Health and safety of employees in coal mines; appointment of mine inspector after competitive examination. 21§  
'07 ch.204, 9 Mar.
- e **Kan.** Deputy mine inspectors; salaries; term of office of State Mine Inspector and deputies. Supplements '05 ch.488. 2§  
'07 ch.402, 21 Feb.
- f **Mon.** Amdg. '01 p.63 rel. to Inspector of Coal Mines. 14§  
'07 ch.133, 7 Mar.
- g **N. Y.** Amdg. labor law '97 ch.415 §120-29 rel. to inspection of mines, tunnels and quarries: strength of hoists; gages for artificial air pressure; working 40 feet underground to be equipped with head house and trapdoors; washroom where 25 men employed; blast not to be exploded with electric current of over 250 volts. 11§  
'07 ch.399, 3 June

## LABOR

2063

- h Tenn.** Generally amdg. '03 ch.237 rel. to inspection of mines and regulation of employment therein. 9§ '07 ch.540, 15 Apr.
- i Wash.** Amdg. '97 ch.45 §1: salary of inspector of coal mines \$2400 [\$1500]. 1§ '07 ch.77, 5 Mar.
- j Wash.** Amdg. '91 ch.81 §4, 16: safety of hoists in coal mines; sale of coal mine to be reported to inspector. Adds §23. 3§ '07 ch.105, 11 Mar.

2064

### *Health and comfort of employees*

- a Ind.** Owners of coal mines to provide washhouses for laborers when petitioned; penalty. 2§ '07 ch.121, 8 Mar.
- b Ind.** Amdg. '05 ch.50 §27 rel. to actions for damages against employers violating provisions providing for health and safety of coal miners: fixes order of persons to whom action accrues in case of loss of life. 1§ '07 ch.157, 9 Mar.
- c Mo.** Inspectors of mines other than coal may order additional ingress and egress shafts and air holes; penalty. 3§ '07 p.364, 18 Mar.
- d Mo.** Amdg. R.S.'99 §8817 rel. to mine inspectors. 1§ '07 p.365, 30 Mar.
- e Mon.** Requiring furnishing of washhouse at coal mine; penalty. 1§ '07 ch.134, 7 Mar.

2066

### *Safety of employees*

- a Ari.** Uniform system of mine bell signals and other regulations for protection of miners. 3§ '07 ch.72, 21 Mar.
- b Ill.** Amdg. '99 p.301 §21 rel. to coal mines: height and width of refuge places along car and mule tracks. 1§ '07 p.397, 25 May
- c Ind.** Entry of coal mines through which trackway runs to have free space of 2 feet each side of trackway; exceptions; penalty. 3§ '07 ch.197, 9 Mar.
- d Kan.** Amdg. '01 ch.257 §2 rel. to violations of safety requirements in coal mines: State Inspector may order *suspension of work until danger removed* [apply for injunction]. 1§ '07 ch.251, 27 Feb.
- e Mo.** Amdg. R.S.'99 §8802: mine generating *explosive* gas to be examined daily. 1§ '07 p.362, 7 Mar.
- f Mo.** Amdg. R.S.'99 §8823: rooms and entries in coal mine must be closed up within month of abandonment. 1§ '07 p.363, 22 Mar.
- g Tex.** Creating State Mining Bd. of 7 appointed by Gov. for 2 years, \$5 per diem; to nominate to Gov. State Mine Inspector and receive reports of latter; salary of inspector \$1500; coal mine regulations. 21§ '07 ch.178, 30 Apr.

2067

### BLASTING

- a Ill.** Amdg. '99 p.301 §20 rel. to blasting in coal mines. 1§ '07 p.398, 18 Mar.
- b Ill.** Amdg. '05 p.328 rel. to shot firers in mines: drill hole not to be altered after approval by shot firer; shot firer not to fire unlawful or improper shot voluntarily or by command; not to be ordered or induced by threats to fire improper shot. 7§ (no §1). '07 p.401, 20 May
- c Ill.** Amdg. '03 p.252 §1, 2 rel. to use of powder in coal mines: standard powder measure. 2§ '07 p.401, 24 May

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- d **Ia.** Prohibiting storage and transportation of powder into coal mines when persons employed therein. 5§ '07 ch.130, 13 Apr.
- e **Kan.** Manner of sale and delivery of powder for use in coal mines. 7§ '07 ch.250, 5 Mar.

2071

## HOISTING MACHINERY

- a **Nev.** Amdg. '05 ch.112 §1, 3, 7 which authorizes county to regulate engineers in charge of certain machinery: hoist in mine shaft included. 4§ '07 ch.184, 29 Mar.

2072

## HOSPITAL ACCOMMODATIONS AND MEDICAL AID

*See also 2167, Miners hospitals*

- a **U.** Mine employing over 10 men to provide for care of persons injured; penalty. 2§ '07 ch.33, 11 Mar.

2077

## Railways

2078

### *Health of employees*

- a **Kan.** Railroad to provide sheds over tracks used exclusively for repair work. 2§ '07 ch.283, 7 Mar.

2079

## VESTIBULES

- a **Mon.** Requiring vestibules on cars of street railway from Nov. 1 to May 1; penalty. 5§ '07 ch.78, 4 Mar.

2080

### *Safety of employees*

- a **Ark.** Requiring engineer, fireman, conductor and 3 brakemen on freight train of railroad 50 miles long. 4§ '07 ch.116, 28 Mar.
- b **Id.** Stringing of wires over railroad; under supervision of county comrs. 3§ '07 p.535, 15 Mar.
- c **Ia.** Railroad Comrs. to have supervision of stringing wires over railroads and highways; minimum height 22 feet; penalty. 7§ '07 ch.109, 6 Apr.
- d **Minn.** Freight cars to be equipped with automatic couplers and grab irons; penalty. 3§ '07 ch.202, 15 Apr.
- e **Mo.** Railroad to fill or block switches, frogs and guard rails: in case of noncompliance defense of contributory negligence not available. 3§ '07 p.181, 28 Feb.
- f **Mo.** Railroad to equip rolling stock with air brakes, automatic couplers, grab irons and standard draw bars; in case of noncompliance risk not deemed to have been assumed and defense of contributory negligence not available. 8§ '07 p.182, 19 Mar.
- g **Mon.** Size and construction of caboose cars; penalty. 3§ '07 ch.54, 28 Feb.
- h **Or.** Prohibiting stringing wires across railroad less than 25 feet above; trolley wires 23 feet; under supervision of county court; penalty. 3§ '07 ch.191, 25 Feb.
- i **Wash.** Amdg. '99 ch.35 §1: railroad flagman to be able to read, write and speak English. 1§ '07 ch.138, 12 Mar.
- j **Wis.** Stringing electric wires over railroad track. Adds S.'98 §1778a subdiv.1, 2. 2§ '07 ch.291, 20 June

## LABOR

2085

### Hours

*See also 2113, Employment*

- a **Ct.** Minors under 16 and females not to be employed in factory or mercantile establishment more than 10 hours per day and 58 hours per week; penalty. Rep. G.S.'02 §4691. 3§ '07 ch.251, 31 July
- b **Mass.** Amdg. R.L. ch.106 §27 rel. to hours of labor of women and minors: those engaged in manufacture of textile goods not before 6 a. m. nor after 6-p. m. 2§ '07 ch.267, 2 Apr.
- c **Mon.** Amdg. '05 ch.50 §1: 8 hours to constitute day's work in washing, reducing or treatment of coal. 1§ '07 ch.108, 6 Mar.
- d **N. H.** Amdg. P.S. ch.180 §14 rel. to hours of labor for women and minors under 18 in factories: not to exceed 9 *hours 40 minutes* [10 hours] per day or 58 [60] hours per week. 1§ '07 ch.94, 28 Mar.
- e **N. Y.** Amdg. labor law '97 ch.415 §77, 78 rel. to hours of labor of minors and women. 2§ '07 ch.507, 15 June
- f **S. C.** 60 hours to constitute week for operatives in cotton and woolen mills; penalty. 2§ '07 ch.233, 19 Feb.
- g **Tenn.** Msdr. to employ female or child under 16 more than 60 hours per week after Jan. 1, 1910. 4§ '07 ch.308, 11 Apr.

2086

### Women

- a **N. Y.** Declaring unconst. '03 ch.184 §77, Pen.C. §3841 prohibiting employment of females and minors between 9 p. m. and 6 a. m. as far as applying to adult females. Not within police power; discriminates against female citizens; infringes right to contract.  
People v. Williams 81 N. E. 778 (1907)
- b **Or.** Amdg. '03 p.148 rel. to hours of female employees: 10 hours in mercantile establishment or hotel; 12 hours in retail stores week before Christmas; penalty \$25 to \$100 [\$10 to \$25]. 1§ '07 ch.200, 25 Feb.

2089

### Children

*See also 2118, Employment of children*

- a **N. Y.** Amdg. labor law '97 ch.415 §77: minor under 16 not to be employed in factory before 8 [6] a. m. nor after 5 [7] p. m. nor more than 8 [9] hours per day. 1§ '07 ch.286, 4 May
- b **N. C.** Employment of children in factories: under 12 years not to be employed nor between 12 and 13 except as apprentices and after attending school 4 months of preceding year; under 18 not more than 66 hours per week, same to be week's work for all ages; under 14 not to work between 8 p. m. and 5 a. m.; parent to furnish statement of age and school attendance; penalties. 4§ '07 ch.463, 9 Mar.

2091

### MERCANTILE ESTABLISHMENTS

- a **N. J.** Children under 16 not to be employed in mercantile establishment more than 58 hours per week or before 7 a. m. or after 7 p. m.; exceptions; employers to keep birth certificate register; proof of age; penalties. 5§ '07 ch.229, 28 May

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2092

## Sunday labor

See also 929, Sunday observance

- a **Mass.** Prohibiting employment on Sunday in commercial, industrial, transportation or communication work, unless full day's rest be allowed on other day of week; penalty. 3§ '07 ch.577, 28 June

2094

## Mines

- a **Id.** 8 hour day in underground mines or in smelter: penalty. 3§ '07 p.97, 26 Feb.
- b **Or.** 8 hour day in underground mines of metal; penalty. 2§ '07 ch.161, 25 Feb.

2095

## Pharmacists. Drug clerks

- a **Cal.** Bureau of Labor Statistics to enforce act regulating hours of drug clerks. Adds §5 to '05 ch.34. 1§ '07 ch.224, 15 Mar.

2096

## Public work

- a **Mass.** Amdg. '06 ch.517 §1, 2, 4 providing 8 hour day for labor on public work: emergencies; threat of loss of employment equivalent to "requiring"; contracts without 8 hour stipulation void; contractors as well as officials liable to penalties. 3§ '07 ch.269, 3 Apr.
- b **Mass.** Amdg. '06 ch.517 §1: 8 hour day on public work not to apply to certain employees of institutions. 1§ '07 ch.570, 28 June
- c **N. C.** Amdg. Revisal '05 §2763 rel. to leaves of absence of laborers employed in public buildings. 1§ '07 ch.117, 5 Feb.
- d **Or.** 8 hour day for laborers on state and county work; exceptions; penalty. 2§ '07 ch.190, 25 Feb.

2097

## Railways

- a **Ark.** Unlawful to work telegraph or telephone operator engaged in handling trains more than 8 in 24 hours. 5§ '07 ch.282, 8 May
- b **Ct.** Hours of telegraph or telephone operator spacing trains by block system not to exceed 8 in 24; 12 hours where station open in daytime only and but 1 operator employed; 16 hours in case of calamity; penalty \$1000. 2§ '07 ch.242, 27 July
- c **Ind.** Railroad employee not to be required to remain on duty more than 16 consecutive hours; exceptions; penalties. 5§ '07 ch.131, 8 Mar.
- d **Ia.** Hours of railroad employees connected with movement of train: not to exceed 16 consecutive hours with 10 hours rest, nor aggregate of 16 in 24 hours; penalty. 2§ '07 ch.103, 2 Apr.
- e **Kan.** Amdg. '05 ch.342 §1, 2 rel. to hours of labor of railroad trainmen: enforcement by Comr. of Labor, on complaint; verbal amdt. 3§ '07 ch.280, 9 Mar.
- f **Minn.** Employees connected with movement of railroad train: not to be employed more than 16 consecutive hours without 8 hours rest, nor more than aggregate of 16 hours in 24; penalty. 2§ '07 ch.253, 19 Apr.

# LABOR

2097

- g Mo.** 8 hour day for telephone and telegraph operators and dispatchers engaged in movement of trains; penalty. 2§  
'07 p.332, 12 Apr.
- h Mon.** Hours of railroad employee connected with movement of train: not to exceed 16 consecutive hours, with 8 hours off, nor aggregate of 16 in 24 hours; penalty. 2§ '07 ch.5, 5 Feb.
- i Nev.** Block system operator not to be employed over 8 hours in 24; penalty. 4§ '07 ch.186, 29 Mar.
- j N. Y.** Amdg. Pen.C. §384h subdiv.4: railroad employee connected with movement of train not to remain on duty more than 16 consecutive hours and thereafter to have 10 hours off; if on in aggregate 16 in 24 hours to have 8 hours off in 24; exceptions. 1§  
'07 ch.523, 17 June
- k N. Y.** 8 hour day for telegraph and telephone operators spacing trains by block system; exceptions; penalty. Adds labor law '97 ch.415 §7a. 1§ '07 ch.627, 19 July
- n N. C.** 8 hour day for train dispatchers, 16 for train crew; penalties. 4§ '07 ch.456, 4 Mar.
- p N. D.** Railroad employee connected with movement of trains not to be kept or remain on duty more than 16 consecutive hours with 8 hours off; penalty. 3§ '07 ch.207, 8 Mar.
- q Or.** On arrival at terminal station member of train crew having been on duty 10 hours, to have 10 hours off; in no case to be on duty more than 14 consecutive hours except in emergencies. 2§  
'07 ch.143, 25 Feb.
- r S. D.** Common carrier not to require more than 16 hours consecutive duty with 10 hours rest of employee connected with movement of trains; if duty aggregate 16 hours in 24 to give 8 hours off duty; penalty; Railroad Comrs. to investigate. 5§ '07 ch.220, 13 Feb.
- s Tex.** Employee engaged in operation of train after 14 consecutive hours of work to have 8 hours off duty; penalties. 4§  
'07 ch.51, 1 Apr.
- t Tex.** 8 hour day for telegraph and telephone operators on block system of spacing trains. 5§ '07 ch.122, 16 Apr.
- u Wash.** Railroad employee connected with movement of trains not to be on duty more than 16 consecutive hours and thereafter to have 10 hours off; when aggregating 16 in 24 hours to have 8 hours off; penalty. 2§ '07 ch.20, 18 Feb.
- v W. Va.** Msdr. for railroad to employ telegraph or telephone operator engaged in dispatching trains more than 8 in 24 hours. 2§  
'07 ch.59, 25 Feb.
- w Wis.** 8 hour day. with 16 consecutive hours off, for block system operator in employ of railroad; penalty. Adds S.'98 §1816m. 2§  
'07 ch.575, 11 July
- x Wis.** 16 hour day for employees of common carrier with 10 hours off after continuous service; penalty. Adds S.'98 §1809l-o. 4§  
'07 ch.655, 16 July

2098

*Street railways*

- a **Ia.** Amdg. C. §768: street railway cars after Nov. 1, 1907 [1897] to be equipped with vestibules inclosed on *all* [3] sides. 1§  
'07 ch.37, 20 Mar.
- b **N. Y.** Amdg. labor law '97 ch.415 §5: 10 consecutive hours, including ½ hour for dinner, day's labor on street railways in cities of *1st and 2d classes* [100,000]. 1§  
'07 ch.243, 30 Apr.

2100

**Wages**

*See also* 419, *Mechanics liens*; 451, *Exemption from execution*; 742, *Garnishment*

- a **Or.** Prohibiting payment of employees wages with nonnegotiable orders; on discharge wages shall be due immediately; on quitting due immediately after 3 days notice; if order be not honored in 48 hours, employee allowed atty.'s fees. 3§  
'07 ch.163, 25 Feb.
- b **Pa.** Employer may pay wages of deceased employee to next of kin or creditors without letters of administration; order of preference. 3§  
'07 ch.162, 23 May
- c **Vt.** Corp. to pay employees weekly in money; assignment of future wages or agreement for future payment void; penalty \$50. 6§  
'06 ch.117, 10 Dec.
- d **Wis.** Atty. fee of \$5 allowed on recovery of under \$50 for work and labor. Adds S.'98 §3775 subdiv.5. 1§  
'07 ch.337, 22 June

2101

*Assignment*

- a **Col.** Wage broker to be licensed; assignment for more than 30 days or at over 2% interest per month void; wife must join; assignment of minor invalid; employer to be notified in 10 days; penalty. 12§  
'07 ch.241, 3 Apr.
- b **Col.** Assignment of future wages void against creditor unless signed by husband or wife and recorded. 4§  
'07 ch.240, 17 Apr.
- c **Me.** Amdg. R.S.'03 ch.113 §6 rel. to recording assignments of wages. 2§  
'07 ch.103, 22 Mar.

2102

*Deduction*

- a **Mon.** Msdr. to refuse to pay wages with intent to obtain discount. Adds Pen.C. §924. 1§  
'07 ch.144, 7 Mar.

2103

*Mode of payment: money, company stores, certificates*

- a **Ark.** Declaring unconst. '01 ch.161, '05 ch.143 prohibiting issuance to employees of scrip not redeemable in money; coal mine employing not less than 20 men underground excepted. Unlawful discrimination; denies equal protection of law.  
Union Sawmill Co. v. Felsenthal 108 S. W. 217 (1908)
- b **Ark.** Unlawful to pay wages except in cash or scrip redeemable in cash. 4§  
'07 ch.315, 14 May
- c **N. M.** C.L.'97 §2355 prohibiting payment of laborers' wages in orders not redeemable in money, to apply only where coercion is used. 1§  
'07 ch.44, 18 Mar.



## LABOR

2103

- d Or. Prohibiting compelling employees boarding or trading at designated places; penalty. 2§ '07 ch.192, 25 Feb.
- e Tex. Declaring unconst. '05 ch.152 prohibiting issuance of merchandise check to employee for wages. Interferes with right of contract; takes property without due process of law.  
Jordan v. State 103 S. W. 633 (1907)

2104

### *Period of payment*

- a Ind. Declaring unconst. Burns's Ann. S. §7056-57 which requires corp. or association to pay employee engaged in manual or mechanical labor at least monthly. Violates 14th amdt. of U. S. Const. as imposing burden on corp. or association not imposed on individual.  
Toledo, St L. & W. R. Co. v. Long, 82 N. E. 757 (1907)
- b Mass. Amdg. R.L. ch.106 §62 rel. to weekly payment of wages.  
1§ '07 ch.193, 12 Mar.

2107

### **Mines**

- a Pa. Msdr. to destroy device on coal car indicating by whom mined; penalty. 1§ '07 ch.206, 28 May

2111

### **Public work**

- a Nev. Rate for unskilled labor on state buildings not less than \$3 for 8 hour day; penalty. 2§ '07 ch.202, 29 Mar.

2113

### **Employment**

- a N. J. Comn. appointed by '05 ch.94 to revise laws on master and servant, to report to Legis. of 1908 [1906]. 1§ '07 ch.102, 25 Apr.
- b N. D. Amdg. R.C.'05 §5572 rel. to term for which servant is presumed to be hired. 2§ '07 ch.173, 13 Mar.

2113(5)

### *Contracts*

- a N. D. Msdr. to accept transportation or pecuniary benefit from employer under agreement to perform services in payment and fraudulently refuse to perform same. 3§ '07 ch.208, 13 Mar.
- b S. C. Declaring unconst. Crim.C. §357 which declares person who receives advances under contract to labor on farm and wilfully fails to perform, guilty of msdr. Imprisonment for debt; involuntary servitude; discriminates against laborer in favor of employer.  
Ex parte Hollman 60 S. E. 19 (1908)

2114

### *Employment offices. Emigrant agents*

- a Ia. Amdg. C. §700: cities and towns authorized to license employment offices. 1§ '07 ch.31, 12 Mar.
- b Ia. Employment offices: fee to be returned except \$1 on failure to obtain employment; copy of contract to be furnished applicant; not to divide fee with employer; investigation by Labor Comr.; penalty. 5§ '07 ch.128, 27 Mar.
- c Me. Employment agencies to be licensed by mun. officers; bond of \$500; fee charged applicant for employment not to exceed \$1 and to be returned if permanent employment be not obtained; penalty. 7§ '07 ch.84, 20 Mar.

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2114

- d Minn. Amdg. R.L.'05 §1825 rel. to employment offices: bond \$2000 [\$10,000]. 1§ '07 ch.368, 23 Apr.
- e N. J. Employment agencies. 8§ '07 ch.230, 28 May
- f Pa. Director of Dept. of Public Safety in cities of 1st and 2d class to license employment agencies; regulations and penalties. 15§ '07 ch.90, 25 Apr.
- g S. C. Emigrant agents to obtain license in each county where operating; fee \$2000; penalty \$1000 to \$5000, 4 months to 2 years. 3§ '07 ch.259, 20 Feb.

2115

## Free employment bureaus

- a Col. Creating free employment offices in cities of over 25,000. 12§ '07 ch.129, 5 Apr.
- b Mich. Amdg. '05 ch.37 §1-3 which establishes free employment bureaus in cities of 30,000 [50,000]. Adds §4-6. 7§ '07 ch.281, 27 June
- c Minn. Establishing free employment bureaus in cities of 50,000; in charge of supts. appointed by Comr. of Labor; \$10,000 annually. 5§ '07 ch.180, 13 Apr.
- d Wis. Amdg. '03 ch.434 §1, 2 to be S.'98 §926 subdiv. 161, 162 rel. to free employment offices: location; employees; expenses. 2§ '07 ch.373, 24 June

2117

## Women

- a Ill. Requesting Cong. to place proposed investigation into employment of women and children under Bureau of Labor in Dept. of Commerce and Labor. '07 p.581, 9 May
- b Tenn. Requesting Gov. to call conference of representatives of manufacturers and organized labor of cotton states to consider uniform laws regulating employment of women and children in factories. '07 p.2245, 11 Apr.

2118

## Children

See also 2172, Children (dependent and neglected); 2270, Compulsory attendance

- a Ala. Creating Inspector of Jails and Almshouses; appointed by Gov. for four years, salary \$2400; visitation; may compel giving of testimony; orders to be obeyed under penalty; report to be published in newspaper in county; inspection of cotton mills to ascertain sanitary condition and ages of child employees; reports to Gov. 10§ '07 p.335, 4 Mar.
- Amended rel. to office supplies for inspector. 1§ '07 p.715, 13 Aug.
- aa Ala. Child labor law: child under 12 not to work in factory after Jan. 1, 1908; child between 12 and 16 not to work after Jan. 1, 1909 unless he attend school 8 weeks during year; no child under 14 to be employed more than 60 hours per week; no child under 16, at night; enforcement by inspector of jails and almshouses. 14§ '07 p.757, 9 Aug.
- b Ark. Child labor in factories: under 12 years not to be employed, under 14 in specified cases only and not at night nor more than 60 hours per week nor when unable to read or write; penalties. 9§ '07 ch.456, 29 May

## LABOR

2118

- c **Cal.** Amdg. '05 ch.18 §5: minors may be employed out of school hours in curing and drying but not canning fruit. 1§  
'07 ch.322, 19 Mar.
- d **Cal.** Amdg. '05 ch.18 §2: children under 14 not to be employed in place of amusement; attendance officer to have right to enter place of employment. 1§  
'07 ch.524, 23 Mar.
- e **Fla.** Child labor law. 10§  
'07 ch.91, 29 May
- f **Id.** Employment of children. 9§  
'07 p.248, 12 Mar.
- g **Kan.** Amdg. '03 ch.423 §2 rel. to truancy: unlawful to employ children between 8 and 15 during school sessions, without permit of bd. Rep. G.S.'01 §6420-23. 2§  
'07 ch.317, 5 Mar.
- h **Me.** Amdg. R.S.'03 ch.40 §52-55 rel. to employment of minors in factories. 5§  
'07 ch.46, 6 Mar.
- i **Mass.** Certificate of supt. of Lyman School for Boys or State Industrial School for Girls to be accepted as to age and ability to read and write. Amds. R.L. ch.106 §13. 1§  
'07 ch.224, 20 Mar.
- j **Minn.** Employment of children. Rep. R.L. §1804-11. 13§  
'07 ch.299, 22 Apr.
- k **Mo.** Employment of children. 13§  
'07 p.86, 20 Mar
- n **Mon.** Employment of children under 16. 7§  
'07 ch.99, 5 Mar.
- p **Neb.** Child labor law. 14§  
'07 ch.66, 30 Mar.
- q **N. Y.** Amdg. labor law '07 ch.415 §71, 73, 163, 165 rel. to employment certificates for minors: evidence of age. 4§  
'07 ch.291, 6 May
- r **N. Y.** Amdg. labor law '07 ch.415 §174-79, 179a which require children in city of 1st or 2d class selling newspapers etc. to wear badge issued by school authorities: statement of principal of school; expiration of badge; enforcement; limit of hours; revocation of permit. 8§  
'07 ch.588, 16 July
- s **Pa.** Rep.1770 ch.15 rel. to apprentices. 6§  
'07 ch.79, 17 Apr.
- t **R. I.** Amdg. G.L. ch.68 §2: factory inspection law not to apply to children engaged in gymnastic or theatrical exhibitions. 1§  
'07 ch.1458, 23 Apr.
- u **Wash.** Unlawful to employ child under 19 as messenger in city of 1st class or under 14 in factory or store; Superior and Juvenile Court judges may issue permits in certain cases; penalty. Rep. '03 ch.136. 3§  
'07 ch.128, 11 Mar.
- v **Wis.** Child under 14 not to be employed to play on musical instrument at theatrical exhibition; exceptions; penalty. Adds S.'98 §1728a subdiv. 1, 2. 2§  
'07 ch.418, 26 June
- w **Wis.** Amdg. '99 ch.274 §1-10 to be S.'98 §1728a-j rel. to child labor. 10§  
'07 ch.523, 9 July
- x **Wis.** Requesting Cong. to have subject of child labor investigated by Dept. of Commerce and Labor.  
'07 p.1281

2123

## Railways

*See also* 1320(5, Railroads

- a **Wash.** Msdr. for railroad to require employee to purchase uniform. 2§  
'07 ch.224, 16 Mar.

2124

**Seamen**

- a Cal. Rep. Pen.C. §645 rel. to harboring deserting seamen. 1§  
'07 ch.243, 15 Mar.

2125

**Employers liability. Insurance**

*See also 1732, Insurance; 1762, Industrial insurance*

- a Ark. Making railroads and coal mines liable for injury to employee caused by negligence of employer or fellow employee. 2§  
'07 ch.69, 8 Mar.
- b Cal. Amdg. C.C. §1970 rel. to employers liability: liable for negligence of supt. or of workman engaged in different dept.; knowledge of defect by employee must be fully understood; right of action in personal representative; benefits may not be waived; ordinary rules of contributory negligence to apply. 1§  
'07 ch.97, 6 Mar.
- c Ct. Gov. to appoint committee of 3, employer, representative of labor and lawyer to recommend legislation rel. to employers liability; report by Apr. 2, 1907. 4§  
'07 special acts ch.10, 27 Feb.  
Continued: report next session. 3§ '07 special act ch.352, 5 July
- d Ill. Amdg. '99 p.301 §33 rel. to coal mines: \$10,000 [\$5000] damages may be recovered for loss of life; action must be begun within 1 year. 1§  
'07 p.396, 17 May
- e Ind. Declaring unconst. R.S.'01 §7083 providing for liability of railroads and other corporations for injury to employees resulting from negligence of supt., in so far as it relates to "other corporations." Violative of U. S. Const., 14th amdt., as imposing on corp. employers burdens not laid on individuals and partnerships.  
Bedford Quarries Co. v. Bough 80 N. E. 529 (1907)
- f Ia. Where employer or supt. is notified in writing of defect in machinery, assumption of risk by employee ceases. 1§  
'07 ch.181, 28 Mar.
- g Miss. Declaring unconst: '98 ch.66 partially abrogating doctrine of fellow servant as to employees of corporations. Denies corporations protection of laws equal with individuals.  
Bradford Construction Co. v. Heflin 42 S. 174 (1906)
- h Mo. Abrogating fellow servant rule in case of injury to employee in mine; contract to contrary void. 5§  
'07 (ex. sess.) p. 251, 10 May
- i Nev. Liability of common carriers and mine and mill owners for injuries to employees; contributory negligence slight in comparison not bar to recovery; negligence question for jury; right not to be contracted away. 4§  
'07 ch.214, 29 Mar.
- j Pa. Employers liability: defect of plant, neglect of supt. etc., and act of fellow servant done under orders no defense. 3§  
'07 ch.329, 10 June
- k S. D. Common carriers liable to employees for negligence of officers, agents or employees; contributory negligence not to bar recovery where less than that of employer, but jury to diminish recovery in proportion; right can not be contracted away; action to be begun in 2 years. 5§  
'07 ch.219, 20 Feb.

## LABOR

2126

### Railroads

- a **Ind.** Prohibits maintaining by railroads of relief associations which require employees to waive right of damages for personal injuries. 1§ '07 ch.26, 21 Feb.
- b **Kan.** Amdg. '05 ch.341 §1, 2 rel. to liability of railroad for injury to employee: if action is commenced within 8 months, no notice is required; nor if person injured die within 8 months. 3§ '07 ch.281, 15 Feb.
- c **Neb.** Railway company to be liable for injuries to employee resulting from negligence of fellow employee, or defective appliances, etc. 3§ '07 ch.48, 11 Mar.
- d **N. D.** Railroad employers liability act: slight contributory negligence not bar; contract to avoid liability void; action to be commenced within year. 5§ '07 ch.203, 15 Mar.
- e **Pa.** Rep. '68 ch.26 §1 which provided that liability of railroads for injury to person employed on but not by such railroads to be same as for own employee. 1§ '07 ch.328, 10 June
- f **Tex.** Amdg. R.C.S.'95 art.3379: stipulation between railroad and employee requiring notice of claim as condition precedent to action for injuries caused by negligence void. 1§ '07 ch.129, 18 Apr.
- g **Wis.** Amdg. S.'98 §1816 rel. to liability of railroad for injuries sustained by employees: recovery allowed where contributory negligence less than that causing injury. 1§ '07 ch.254, 19 June

2130

### Unions. Associations

Union labels, *see* 1503

2134

### Labor disputes

*See also* 749, Injunction

2136

### Conciliation and arbitration

- a **Col.** Rep. '97 ch.2 which created state and local bds. of arbitration. 1§ '07 ch.109, 17 Apr.
- b **Nev.** Arbitration of differences between employers and employees. 7§ '07 ch.181, 29 Mar.

2137

### Blacklisting. Membership in unions

- a **Tex.** Prohibiting blacklisting of employee; penalties. 8§ '07 ch.67, 5 Apr.

2138

### Boycotts. Interference

- a **U.** Unlawful to interfere with person engaged in labor as to where, by whom or at what compensation employed; penalty. 2§ '07 ch.76, 14 Mar.

2140

## Charities

See also 60, State institutions; 335, Corrections; 583, Corporations not for profit; 1761, Fraternal beneficiary societies

- a **Col.** Supts. of public institutions supporting paupers to report as to indigent aliens to State Bd. of Charities and Corrections; latter to report to U. S. Bureau of Immigration at Denver; deportation. 5§  
'07 ch.2, 9 Apr.
- b **Kan.** Proceedings of Kan. Association of Charities and Corrections to be published by State Printing Commn. 2§  
'07 ch.391, 8 Mar.
- c **Me.** Assessors to make annual return to State Bd. of name, age, physical and financial condition of blind, deaf and dumb, feeble-minded, idiotic and insane; to be tabulated for use of Gov. and Council. 2§  
'07 ch.10, 13 Feb.
- d **Me.** Committee of 5 to be appointed by Gov. to inquire as to advisability of creating State Bd. of Charities and Corrections; report to next Legis.; \$1000. '07 r.210, 28 Mar.
- e **Mass.** State Bd. of Charity may publish manual of charity laws of state; \$500. '07 r.45, 13 Apr.
- f **N. H.** Appointing John McLane, former Gov., and State Treasurer and Sec. of State trustees of \$20,000 donated by Russian and Japanese govts. for charitable purposes. 2§ '07 ch.101, 2 Apr.
- g **Pa.** Providing for printing 7500 copies of report of joint legis. commn. to investigate certain charitable institutions; not to be in Legis. Record. '07 p.813, 17 Apr.

2142

### State boards and officers

- a **Mass.** Report of State Bd. of Charity to contain estimates of institutions, statement of necessity of appropriations, receipts and expenditures of past year, review of work of institutions, recommendations; bd. to approve plans of buildings and alterations. 2§  
'07 ch.271, 5 Apr.
- b **N. J.** Amdg. '05 ch.57 §1, 5: salary of Comr. of Charities and corrections \$4000 [\$3000]; of assistant \$3600 [\$2500]. 2§  
'07 ch.75, 15 Apr.
- c **N. Y.** Amdg. charities law '96 ch.546 §50: managers or trustees of charitable institutions failing to attend meetings or make visitation for 3 months deemed to have vacated office. 1§ '07 ch.283, 4 May
- d **N. Y.** Amdg. state charities law '96 ch.546 §3 rel. to membership of State Bd. 1§ '07 ch.380, 28 May
- e **Pa.** Bd. of Public Charities may appoint 2 assistant gen. agents to examine institutions financially and otherwise; salary \$2000. 3§  
'07 ch.183, 25 May
- f **S. D.** Amdg. '03 ch.86 §2 rel. to Bd. of Charities and Corrections: to elect sec. with salary same as sec. of Bd. of Regents. 2§  
'07 ch.77, 6 Mar.

## CHARITIES

2143

### State institutions (general)

- a **Minn.** Establishing State Hospital for Indigent, Crippled and Deformed Children; under management of State Bd. of Control. 5§  
'07 ch.81, 2 Apr.
- b **Minn.** Authorizing surgical operation on insane, feeble-minded or epileptic person in state institution when consent of relatives can not be had in time. 2§  
'07 ch.145, 10 Apr.
- c **Mo.** Msdr. to maltreat inmate of eleemosynary institution or to furnish such institution with unwholesome meat; witness failing to disclose knowledge deemed accessory. Adds R.S.'99 §7716a-d. 4§  
'07 p.312, 19 Mar.
- d **N. Y.** Gov. to appoint comn. of 3 to select site in southeastern part of state and prepare plans for buildings of Eastern N. Y. State Custodial Asylum for epileptics and feeble-minded. 7§  
'07 ch.331, 9 May
- e **Pa.** Employment of insane, feeble-minded and epileptic in state institutions; products to be sold in state institutions only; penalty. 5§  
'07 ch.221, 28 May
- f **Pa.** State hospitals for injured and hospitals for insane receiving state aid may condemn land for building and streams for water supply. 3§  
'07 ch.288, 6 June
- g **Pa.** Bd. of Public Charities may employ competent person to advise as to cost of repairing and constructing buildings; \$5000. 3§  
'07 ch.347, 13 June

2144

### Local boards, officers and institutions

- a **Ill.** Amdg. '77 p.212 §4, 5 rel. to towns within limits of cities: poormaster to be appointed by *county bd.* [city council might appoint]. 2§  
'07 p.571, 17 May
- b **Pa.** Salary of poor director in county of over 150,000 at least \$1500. 2§  
'07 ch.319, 8 June
- c **Pa.** Fixing salaries of poor directors in various classes of counties of under 150,000. 2§  
'07 ch.320, 8 June

2145

### Private charities and institutions

- a **Mich.** Incorp. of charitable institution. 5§ '07 ch.308, 28 June
- b **Neb.** Fraternal, benevolent and charitable organizations may maintain homes for widows, orphans and aged. 5§ '07 ch.30, 3 Apr.
- c **N. Y.** Incorporating Russell Sage Foundation for improvement of social and living conditions in U. S. 2§ '07 ch.140, 11 Apr.

2149

## Poor relief

*See also 260, Vagrancy; 2406, Pensions and relief*

- a **Minn.** Amdg. R.L.'05 §1498 rel. to temporary relief of poor by county: not to exceed \$35 [\$20] for 1 person; exceptional case \$75 [\$50]. 1§  
'07 ch.360, 23 Apr.

2151

### Support of pauper. Settlement

- a **Ct.** Amdg. G.S.'02 §2499 rel. to support of poor person by relatives. 1§  
'07 ch.22, 4 Apr.

2151

- b Ct. Support of state paupers; deportation. Rep. G.S.'02 §2473, 2493-94, 2496. 6§ '07 ch.201, 11 July
- c Ill. Amdg. R.S.'74 ch.107 §5 rel. to paupers: defendant to receive 3 [10] days notice of complaint to compel support. 1§ '07 p.441, 24 May
- d Ind. Amdg. '01 ch.147 §38 rel. to township levies for relief of poor: county auditor to keep account with each township. 2§ '07 ch.161, 9 Mar.
- e Me. Bills for support of state paupers to be filed with Gov. and Council in 3 months, or 30 days after Dec. 31. 1§ '07 ch.113, 26 Mar.
- f Mich. Pauper not residing in county 1 year to be maintained by county of last residence. 9§ '07 ch.72, 2 May
- g Minn. Payment of money to municipality or town on change from county to town system of caring for poor. 3§ '07 ch.37, 13 Mar.
- h N. D. Amdg. R.C.'05 §1854 rel. to length of residence necessary to obligate county to support poor person. 1§ '07 ch.183, 13 Mar.
- i Vt. Married woman is resident of town where she lived with husband for last 3 years; such town liable for her support as pauper. 2§ '06 ch.102, 6 Dec.
- j Vt. Overseer of poor may remove pauper to town chargeable with support except in case of sickness. 2§ '06 ch.103, 18 Dec.
- k Wis. Amdg. S.'98 §1502: father, mother, husband, children, wife liable for support of poor person; supervisors may apply to county judge to enforce. Adds §1502a-b. 3§ '07 ch.224, 15 June

2152

### Burial

See also 2411, Pensions and relief

- a Ct. Amdg. G.S.'02 §2486 rel. to burial of pauper: *to have stained wood or crepe covered casket with outside pine box*; town or state to pay \$22.50 [§15] for interment; penalty. 2§ '07 ch.89, 27 May

2155

### Poorhouses

2157

### Local institutions

- a Ala. Creating Inspector of Jails and Almshouses; appointed by Gov. for 4 years; visitation; may compel giving of testimony; orders to be obeyed under penalty; report to be published in newspaper in county; inspection of cotton mills to ascertain sanitary conditions and ages of child employees; reports to Gov. 10§ '07 p.335, 4 Mar.  
Amended rel. to office supplies for inspector. 1§ '07 p.715, 13 Aug.
- b N. D. County comrs. may appoint bd. of visitors of 3, 1 minister of gospel, to visit poor farm; publication of report. 1§ '07 ch.64, 14 Mar.
- c N. D. Amdg. R.C.'05 §1872, 1877 rel. to duties of supt. of county poor farm. 3§ '07 ch.65, 19 Mar.
- d Vt. Rep. S. §3211 providing for employment of paupers. 1§ '06 ch.104, 19 Dec.



## CHARITIES

2160

### Sick and disabled

*See also 1020, Communicable diseases*

2163

#### Care of sick poor

- a **N. J.** Amdg. '86 ch.195: counties may appropriate \$20,000 [\$15,000] for maintenance of county patients in hospitals. 1§  
'07 ch.29, 5 Apr.

2165

#### Hospitals

*See also 1042, Tuberculosis hospital*

- a **Nev.** Msdr. to maintain hospital within 300 feet of school. 2§  
'07 ch.206, 29 Mar.
- b **N. Y.** Msdr. to remove patient in precarious condition from hospital in city of New York except on written certificate of attending physician. 2§  
'07 ch.748, 26 July

2166

#### State hospitals

- a **Cal.** Unclaimed money or property of patient to be paid into contingent fund of State Hospital after 3 years; no recovery after 5 years. Adds §2181a to P.C. 1§  
'07 ch.439, 21 Mar.
- b **Cal.** Amdg. P.C. §2146: State Hospital may acquire property by gift, grant, devise or bequest. 1§  
'07 ch.440, 21 Mar.
- c **Mass.** Preference for admission to Mass. State Sanatorium to be given to citizens of state. 2§  
'07 ch.222, 20 Mar.
- d **Pa.** Comn. of 6, appointed by Gov., to erect hospital at Shomokin for injured laborers; to be governed by bd. of managers of 9, appointed by Gov.; \$30,000. 12§  
'07 ch.601, 13 June

2167

#### MINERS HOSPITALS

*See also 2072, Hospital accommodations*

- a **N. M.** Amdg. '03 ch.2 §9 rel. to hospital for indigent miners: may take pay patients other than miners. 2§  
'07 ch.48, 18 Mar.

2168

#### Local hospitals

- a **Ill.** Amdg. '91 p.142 §1 rel. to city hospitals: city may levy tax not exceeding 3 [2] mills. 1§  
'07 p.78, 25 May
- b **Ind.** Municipalities may help maintain certain hospitals. 3§  
'07 ch.155, 9 Mar.
- c **Ia.** Amdg. '06 ch.22 §1, 3: cities of 5000 [12,500] may maintain hospital. 1§  
'07 ch.35, 2 Apr.
- d **Mo.** Amdg. '03 p.147 rel. to hospital established by any county [of 150,000]. 15§  
'07 p.194, 19 Mar.

2169

#### Private hospitals

- a **Cal.** Authorizing conveyance of property in trust for founding hospitals. 7§  
'07 ch.17, 19 Feb.
- b **Ind.** Amdg. '01 ch.127 §21 rel. to associations to establish hospitals: capital stock at least \$10,000; may make contracts for 1 year for treatment of existing or future illness. 1§  
'07 ch.171, 9 Mar.

2169

- c **N. D.** Pay hospital not to be located in city block without consent of resident freeholders of block. 1§ '07 ch.134, 13 Mar.

2170

*Maternity hospitals*

- a **Ia.** Maternity hospitals: not within 200 feet of church or school or 75 feet of house; Bd. of Health permit; fee; report of patients, births, deaths; adoption of children; inspection; penalty. 8§ '07 ch.138, 19 Mar.

2172

**Children**

*See also 346, Reform schools; 371, Juvenile offenders; 445, Guardianship; 474, Family; 2118, Employment*

- a **Cal.** Annual appropriation, \$100 for orphan, \$75 for half orphans and abandoned child in institutions; books to be kept; inquiry by State Bd. of Examiners; limitations. Adds §2283-90 to P.C. 8§ '07 ch.496, 23 Mar.
- b **Ct.** Amdg. '03 ch.51 rel. to commitment of children to Newington Home for Incurables. 1§ '07 ch.173, 28 June  
Amended. 1§ '07 ch.254, 31 July
- c **Ind.** Defines dependent and neglected children; jurisdiction of Juvenile Courts; care of; penalty for those responsible for; costs. 6§ '07 ch.41, 23 Feb.
- d **Ind.** Amdg. '97 ch.40 §2, 3 rel. to care of orphan, dependent, neglected and abandoned children. 2§ '07 ch.65, 26 Feb.
- e **Ind.** Amdg. '01 ch.173 §3 rel. to duties of county bd. of children's guardians. 1§ '07 ch.167, 9 Mar.
- f **Me.** Amdg. '05 ch.123 §1-3, R.S.'03 ch.61 §45, 46 rel. to protection of children. 5§ '07 ch.43, 6 Mar.
- g **N. H.** Prohibiting abandonment of child under 4 years; penalty 2 years, if child die by reason thereof 30 years, accessory 2 years or \$100. 2§ '07 ch.1, 31 Jan.
- h **Pa.** Msdr. to neglect to provide for child under 16 or to allow it to enter house of ill repute; penalty \$1000 or 2 years; prohibition of disclosure of confidential communications of husband and wife not to apply. 4§ '07 ch.238, 29 May
- i **Tex.** Defining dependent and neglected children; may be committed to society or institution for care of by District or County Court sitting as Juvenile Court. 7§ '07 ch.64, 5 Apr.
- j **W. Va.** Amdg. '99 ch.9 §1, 2, 7 rel. to W. Va. Humane Society: 5 [4] members of bd.; compensation. 3§ '07 ch.40, 24 Feb.
- k **Wis.** Amdg. '98 §573f rel. to sending neglected children to State Public School. 1§ '07 ch.82, 4 May
- n **Wis.** State Bd. of Control directed to investigate public and private orphan asylums. '07 p.1288

2174

**Crippled and deformed children**

- a **Mass.** Name of Mass. School and Home for Crippled and Deformed Children changed to Mass. Hospital School. 1§ '07 ch.226, 20 Mar.

## CHARITIES

2174

- b **Neb.** Orthopedic hospital to be established on grounds of "Home for the Friendless" at Lincoln; \$27,000. Rep. C.S.'05 §3729c, 3729h. 4§ '07 ch.64, 10 Apr.

2177

### State institutions

- a **Ind.** Amdg. '03 ch.8 §1 rel. to education of dependent children in custodial institutions. 1§ '07 ch.186, 9 Mar.  
b **Or.** Amdg. Ann. C.& S. §3599: amount expended for indigent orphans not to exceed \$6000 [\$4000] in 1 year. 2§ '07 ch.210, 25 Feb

2179

### Local and private institutions

- a **Ill.** Counties may establish detention home for dependent, delinquent or truant children; adoptive. 8§ '07 p.59, 13 May

2181

### Curfew

- a **N. Y.** Adds subdiv.27 to §28 charter of Poughkeepsie '96 ch.425: common council may pass curfew ordinance. 1§ '07 ch.53, 20 Mar.

2182

### Placing out. Care of infants

- a **Ct.** Form of agreement between managers of county temporary home and person receiving child placed out; to be provided by Comptroller. 2§ '07 ch.108, 5 June  
b **Ill.** Amdg. '05 p.34 §3 rel. to visitation of children in family homes; increases salary of state agent and provides 4 [2] visitors. 1§ '07 p.62, 25 May  
c **N. J.** Prohibiting importation of dependent children except by consent of Comr. of Charities; bond for compliance with certain conditions; penalty; not to apply to relatives. 6§ '07 ch.153, 10 May  
d **N. J.** Child born of inmate of State Prison to be maintained by Prison Inspectors till release of mother; if latter then refuses to take child it is to be county charge. 1§ '07 ch.186, 13 May  
e **N. D.** Placing of dependent child under 16 in family home. 3§ '07 ch.91, 13 Mar.  
f **Or.** Creating Bd. of Trustees of A. R. Burbank Trust Fund to consist of Gov., Sec. of State and State Treasurer; to receive gifts and manage fund for use of orphans home at Salem or Portland. 2§ '07 ch.39, 16 Feb  
g **Pa.** Where indigent child is committed to care of private person county to pay maintenance at cost not to exceed that in public institution. 1§ '07 ch.247, 31 May

2183

## Defectives

For marriage of defectives see 477; see also 2220, Education

- a **Ala.** Amdg. '03 p.45 rel. to bd. of trustees of institutions for deaf and blind. 1§ '07 p.911, 9 Aug.  
aa **Del.** Amdg. '99 ch.245 §1 rel. to instruction of indigent defective children in institutions: Gov. may extend term 7 [5] years. 1§ '07 ch.143, 15 Mar

2183

- b **Id.** State Bd. of Education may provide suitable building for education of deaf, dumb and blind; may contract with adjacent territory; child between 6 and 21 years eligible; \$32,000. Rep. '91 p.226; '99 p.162, 462. 7§ '07 p.240, 12 Mar.
- c **Minn.** Bd. of Control may employ agents to supervise paroled insane, feeble-minded and epileptic patients. 2§ '07 ch.292, 22 Apr.
- d **Mo.** Amdg. R.S.'99 §7827 rel. to resident officers appointed by managers of Mo. Colony for Feeble-minded and Epileptic. 1§ '07 p.311, 18 Mar.
- e **Nev.** Amdg. C.L.'00 §1386-88: Supt. of Public Instruction to have deaf, dumb and blind educated in Cal. *or* Utah institutions. 3§ '07 ch.175, 29 Mar.
- f **N. C.** Creating State Hospital Comn. of 5; appointed by Gov.; \$4 per diem and expenses; to purchase additional land and erect buildings for care of mentally defective at state hospitals at Raleigh, Morganton and Goldsboro; \$500,000. 6§ '07 ch.191, 14 Feb.
- g **S. D.** Transfer of feeble-minded and epileptics from Reform School to Northern Hospital. 4§ '07 ch.223, 25 Feb.
- h **U.** Amdg. R.S.'98 §2117 rel. to Utah [State] Schools for Blind and for Deaf. 1§ '07 ch.62, 14 Mar.
- i **U.** Amdg. R.S.'98 §2101, 2103 rel. to Utah School for Deaf [and Dumb] and Utah School for Blind. 2§ '07 ch.101, 14 Mar.
- j **Vt.** Amdg. S. §854, 856, 858, 860, 861 rel. to instruction of deaf, dumb, blind, idiotic, feeble-minded or *epileptic* children of indigent parents. 5§ '06 ch.55, 9 Nov.
- k **Vt.** Amdg. S. §863, 864; Gov. to designate blind *or* deaf and dumb beneficiaries to be educated; allowances. 2§ '06 ch.56, 13 Nov.
- n **Wis.** State Bd. of Control to investigate increase of mental defectives. '07 p.1290
- p **Wy.** Establishing Wy. Home of Feeble-minded and Epileptic; at Lander in place of State Poor Farm; under supervision of Bd. of Charities and Reform; \$15,000. Rep. R.S.'99 §672-76; '03 ch.59. 25§ '07 ch.104, 18 Feb.

2184

### Deaf and dumb

- a **Mich.** Compulsory education of deaf children. 3§ '07 ch.48, 17 Apr.
- b **N. C.** Compulsory attendance at school for deaf of white deaf children, between 8 and 15 years old. 5§ '07 ch.1007, 11 Mar.
- c **Wis.** Amdg. S.'98 §578, 579a rel. to schools for education of deaf: supervision; maintenance; compulsory attendance. Adds §579m-n. 4§ '07 ch.128, 22 May

2186

### State institutions

- a **N. C.** Resident white children of 8 to 23 years only eligible to free maintenance in N. C. School for Deaf and Dumb; tuition for nonresidents. 2§ '07 ch.929, 11 Mar.
- b **U.** Amdg. R.S.'98 §2104: name of Utah State School for Deaf and Dumb to Utah School for Deaf. 3§ '07 ch.12, 28 Feb.

## CHARITIES

2188

### Blind

- a **Del.** Providing for Instructor of Adult Indigent Blind; appointed by Associate Judges for 1 year; salary \$1200; instruction at home. 5§ '07 ch.142, 9 Mar.
- b **Mass.** Adds § 9, 10 to '06 ch.385: annual appropriation of \$5000 for industries in workshops for blind; comm. may use income from industries to carry on same, Auditor of Accounts to examine books as to same annually. 2§ '07 ch.173, 6 Mar.
- c **Mich.** Amdg. C.L.'97 §2015, 2017: person over 18 may be transferred from Mich. School for Blind to Mich. Employment Institution for Blind; census of blind children; requiring blind children to be sent to Mich. School for Blind; provision when parents indigent; penalty. 2§ '07 ch.116, 28 May
- d **Minn.** Compulsory attendance of children at School for Deaf at Faribault. Adds R.L.'05 §1937a. 1§ '07 ch.407 25 Apr.
- e **N. Y.** Appropriating \$300 for each blind pupil at college to employ reader. Adds consolidated school law '94 ch.556 §43b-c. 2§ '07 ch.608, 18 July
- f **O.** Declaring unconst. '04 p.392 pensioning indigent blind. Use of public funds for private purpose.  
Auditor of Lucas Co. v. State 78 N. E. 955 (1906)
- g **U.** Amdg. R.S.'98 §2102 rel. to Utah School for Blind: to provide circulating library for blind of state. 1§ '07 ch.80, 14 Mar.
- h **Wis.** County may pay adult blind person \$100 per annum; conditions; examination. Adds S.'98 §572i-o. 7§ '07 ch.283, 20 June
- i **Wis.** Authorizing schools for blind in city or village; state aid and inspection. Adds S.'98 §5790. 1§ '07 ch.551, 10 July

2191

### State institutions

- a **Cal.** Regulations and management of Industrial Home of Adult Blind. Adds ch.1b to P.C. pt.3, t.5. 12§ '07 ch.435, 21 Mar.
- b **Col.** Establishing Industrial Workshop for Blind; under Bd. of Control of 3, appointed by Gov. and Senate, for 2 years; to teach trades suitable to blind. 11§ '07 ch.108, 8 Apr.
- c **Mich.** Other state institutions to purchase manufactured products of Mich. Employment Institution for Blind. '07 p.513, 17 June
- d **Mo.** Amdg. R.S.'99 §7752 rel. to Mo. School for Blind: age of admission 6 [9] to 20 [25] years; may remain 12 [8] years. 1§ '07 p.305, 19 Mar.
- e **N. M.** Amdg. '03 ch.2 §8: maximum age of inmates of Institute for Blind to be 25 for next 4 years; thereafter 21 as formerly. 1§ '07 ch.4, 21 Feb.

2193

### Insane

*See also 60, State institutions; 446, Guardianship*

- a **Ill.** Insane patients to be transferred from county to state institutions; counties of over 150,000 excepted. 17§ '07 p.63, 4 June

2193

- b **Ind.** Institutions having care of confirmed criminals, rapists, idiots and imbeciles to appoint on staff 2 surgeons to examine mental and physical condition of inmates; where bd. of managers and surgeons deem case unimprovable, surgeons may perform operation for prevention of procreation. 1§ '07 ch.215, 9 Mar.
- c **Me.** Commitment and support of insane. Amds. R.S.'03 ch.144 §5, 18, 22-24, 26-27; rep. §10, 25, 42. 13§ '07 ch.100, 22 Mar.
- d **Minn.** Bd. of Control to erect State Asylum for Dangerous Insane in connection with State Hospital at St Peter; commitments and transfers. 9§ '07 ch.338, 23 Apr.
- e **Wis.** Amdg. S.'98 §4580: age of consent 18 [14] years; *sexual intercourse with insane person punishable by 5 to 15 years imprisonment.* Adds §4580m. 2§ '07 ch.296, 20 June

2194

**State boards and officers**

- a **Neb.** Amdg. C.S.'05 §3802a, 3803 rel. to Neb. Hospital for Insane: assistant physicians and supt. may be removed by Gov. in his discretion. 3§ '07 ch.67, 8 Feb.
- b **N. Y.** Amdg. insanity law '96 ch.545 §6a: Lunacy Comm. authorized to accept and use or invest gifts. 1§ '07 ch.462, 10 June

2198

**State asylums**

- a **Ala.** Joint legis. committee of 5 to investigate charges of cruelty in Ala. Insane Hospital at Tuscaloosa; report at present session. 1§ '07 p.477, 13 July
- aa **Ala.** Comn. of 5 members of Legis. to be appointed by Gov. to investigate charges of mismanagement of Insane Hospital. 8§ '07 p.755, 9 Aug.
- ab **Cal.** Amdg. P. C. §2144: supt. of State Hospital to furnish Lunacy Comn. with list of property in possession of patient within 10 days of admission. 1§ '07 ch.441, 21 Mar.
- b **Ill.** Amdg. '95 p.9 §1, 4, 5, 6, 7, 8; name of Ill. Asylum for Incurable Insane changed to Ill. Gen. Hospital for Insane. 8§ '07 p.58, 3 June
- c **Mich.** Organizing State Psychopathic Hospital at University of Mich.; bd. of 8 trustees, 4 from other hospital bds. and 4 Regents; staff; commitment; support of patients. Rep. '01 ch.161, '05 ch.140. 30§ '07 ch.278, 27 June
- d **Neb.** Amdg. C.S.'05 §3853: name of Asylum for Incurable Insane at Hastings changed to Asylum for Insane. 2§ '07 ch.68, 3 Apr.
- e **N. Y.** Amdg. insanity law '96 ch.545 §53 rel. to construction and alteration of state hospitals for insane: special contracts under \$1000 need not be secured by check; inmate labor may be used and material bought in open market; expenditure of appropriations and method of payment. 1§ '07 ch.325, 9 May
- f **N. Y.** State Comn. in Lunacy may select site for hospital for insane near city of New York; not to exceed 1000 acres; report to Legis. of 1908. 5§ '07 ch.524, 17 June
- g **Pa.** Amdg. '91 ch.307: cost of maintenance of chronic insane in state asylum not to exceed \$3 [\$2.50]. 1§ '07 ch.118, 1 May

## CHARITIES

## 2199 Institutional boards, officers and employees

- a Ari. Salary of Supt. of Territorial Asylum for the Insane \$3000.  
28 '07 ch.83, 21 Mar.
- b Mich. Amdg. '03 ch.217 §5 rel. to salaries of employees of state  
insane asylums: \$1000 extra for each additional 100 patients over 1600.  
18 '07 ch.290, 27 June

## 2202 Private asylums

- a Kan.** Reception and restraint of insane persons, persons of unsound mind, habitual drunkards and drug habitues, in private institutions licensed by State Bd. of Control. Rep. G.S.'01 §6571, 6599, 6604, so far as in conflict with this act. 3§ '07 ch.392, 5 Mar.

**2203 Support. Right of admission**

*See also* 2151, Support of pauper

- a **Ind.** Amdg. '81 ch.67 §15: county clerk to supply \$30 [\$20] worth of clothing for patient admitted to Hospital for Insane. 1§  
'07 ch.260, 12 Mar.
- b **Ia.** Amdg. C. §2270 rel. to legal settlement of insane patient. 1§  
'07 ch.118, 13 Apr.
- c **N. D.** State Hospital for Insane: fee for residents of other states; liability of county for expenses of its residents; legal residence; collection from estate of patient. Rep. R.C.'05 §1195-96, 1910-12. 15§  
'07 ch.137, 14 Mar.
- d **Wis.** Amdg. S.'98 §600, 604q rel. to collecting for maintenance of insane from estate or persons bound to support. 2§  
'07 ch.624, 13 July

2204 *State support*

- a **Me.** Amdg. R.S.'03 ch.144 §24: towns must file claims against state for support of insane with Gov. and Council in 3 months or 60 days after Dec. 31. 1§ '07 ch.105, 22 Mar.
- b **N. H.** Indigent insane to be maintained by state at N. H. State Hospital; regulations. 4§ '07 ch.107, 3 Apr.
- c **Pa.** Amdg. '89 ch.238 §1 rel. to cost of maintenance of indigent insane in state hospitals: not to exceed \$2.50 [\$2] per week per capita. 1§ '07 ch.117, 1 May
- d **Vt.** Supts. of Brattleboro Retreat and Vt. State Hospital to furnish State Auditor with statistics as to insane supported by state; Auditor to ascertain those with estates and make charge on same; collection; husband or kindred liable for support as for paupers. 8§ '06 ch.105, 7 Dec.

2205	Inquest.	Commitment.	Discharge
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|---|--|---------------------|
| a | <b>Ct.</b> Atty. Gen. to prescribe and Comptroller to furnish uniform orders of commitment for insane. 1§                | '07 ch.88, 27 May   |
| b | <b>Me.</b> Giving probate judges power to commit insane; procedure. 3§   | '07 ch.50, 11 Mar.  |
| c | <b>Mich.</b> Amdg. '03 ch.217 §15 rel. to form of certificate of qualifications of physician examining insane person. 1§ | '07 ch.158, 17 June |
| d | <b>Minn.</b> Amdg. R.L.'05 §1916: detention hospitals to be provided for those committed to insane asylum. 2§            | '07 ch.48, 16 Mar.  |

# N. Y. STATE LIBRARY INDEX OF LEGISLATION 1907

2205

- e **Minn.** Amdg. R. L.'05 §3860: form of warrant of commitment of nonresident insane. 2§ '07 ch.79, 2 Apr.
- f **Minn.** Amdg. R.L.'05 §5375-76 rel. to commitment to Asylum for Dangerous Insane of persons found insane after indictment and those acquitted on ground of insanity. 2§ '07 ch.358, 23 Apr.
- g **Vt.** Amds. S. §3242: physician signing certificate by which person is committed as insane without careful examination within 5 days previous to be *imprisoned not more than 2 years* or fined \$1000 [\$50 to \$100]. 1§ '06 ch.106, 18 Dec.
- h **Wis.** Amdg. S.'98 §585d rel. to fee of examining physician in proceeding to determine sanity. 1§ '07 ch.80, 4 May

2206

## *Transportation. Transfer*

- a **Fla.** Amdg. G.S.'06 §1195, 1203: destitute lunatic to be transported to State Hospital for Insane by *officer of institution* [sheriff]. 3§ '07 ch.111, 3 June
- b **Pa.** Committee on Lunacy may transfer patients from one state hospital for insane to another. 3§ '07 ch.110, 1 May

2210

## Epileptics

2213

## *State asylums and colonies*

- a **Mass.** To be admitted to Mass. Hospital for Epileptics patient must be over 10 years. 2§ '07 ch.432, 17 May

2215

## Feeble-minded

*See also 446, Guardianship*

- a **Wis.** When Home for Feeble-Minded is full, persons committed thereto to be transferred to county asylum; state support. Adds S.'98 §573j subdiv. 1, 2. 2§ '07 ch.507, 9 July

2218

## *State institutions*

- a **Me.** Establishing Me. School for Feeble-minded; 5 trustees appointed by Gov. and Council; \$5 per diem; admissibility; probate judge may commit to; \$60,000. 12§ '07 ch.44, 6 Mar.
- b **Mass.** Changing name of School for Feeble-minded to Wrentham State School. 1§ '07 ch.421, 16 May
- c **Mass.** Amdg. '06 ch.309 §1 rel. to commitment and discharge of inmates of Mass. School for Feeble-minded. 2§ '07 ch.489, 11 June
- d **N. D.** Amdg. R.C.'05 §1165, 1167-68 rel. to support of inmate of Institution for Feeble-minded. Rep. §1910-12. 4§ '07 ch.237, 7 Mar.
- e **Or.** Establishing State Institution for Feeble-minded, for feeble-minded, idiotic and epileptic; trustees to consist of Gov., Sec. of State and State Treasurer; \$10,000. 15§ '07 ch.83, 23 Feb.
- f **Or.** Bd. of Trustees of State Institution for Feeble-minded may secure lands, buildings and equipment; convict labor; \$100,000. 6§ '07 ch.84, 23 Feb.
- g **R. I.** Establishing School for Feeble-minded; under control of State Bd. of Education; admission and commitment; annual report to Gen. Assembly; \$25,000. 9§ '07 ch.1470, 23 Apr.



# Education. Science. Culture

*See also* 2184, Deaf and dumb; 2188, Blind

- a **Cal.** Submitting amdt. to Const. 1879 art.9 §6 rel. to public school system. 1§. Vote Nov. 1908. '07 p.1275, 6 Mar.
- b **Ct.** Sec. of State may compile laws rel. to education; 2500 copies. 1§ '07 special acts ch.20, 14 Mar.
- c **Del.** Sec. of State to have printed 1000 copies of school laws. '07 ch.270, 9 Mar.
- d **Ia.** Creating comn. of 3 to revise and codify school laws; appointed by Gov. at \$8 per diem; report to next session; \$3000. 7§ '07 ch.222, 13 Apr.
- e **Me.** Bd. of education and uniform system of schools in Augusta; referendum. Rep. sundry acts. 8§ '07 ch.416, 26 Mar.
- f **N. M.** Revising school laws; Bd. of Education reorganized; Supt. of Public Instruction; duties; schedule of laws repealed and amended. 31§ '07 ch.97, 21 Mar.
- g **N. C.** Amdg. sundry sections of Revisal '05 rel. generally to education. 13§ '07 ch.835, 9 Mar.
- h **N. D.** Gov. and Atty. Gen. to prepare compilation of school laws for action by next Legis. 3§ '07 ch.102, 12 Mar.
- i **N. D.** Amdg. R.C.'05 §1050-51, 1082, 1092, 1231 rel. to instruction at State University, normal schools, Academy of Science, School of Forestry. 5§ '07 ch.100, 19 Mar.
- j **Or.** Supt. of Public Instruction to annotate and compile school laws of state, and Bd. of Education to have 5000 copies printed. 1§ '07 p.504, 20 Feb.
- k **Pa.** Establishing schools for adults, including foreigners; on petition signed by 20 taxpayers or aliens desiring instruction; duties of school directors. 8§ '07 ch.60, 15 Apr.
- n **Pa.** Comn. of 7, including Supt. of Public Instruction to revise, collate and digest school laws; to report to next Legis.; \$5000. 5§ '07 ch.140, 8 May
- p **Vt.** Amdg. S. §602 and '02 ch.25 §4 rel. to expense of educational meetings and teachers certificates. 2§ '06 ch.44, 8 Nov.
- q **Vt.** Amdg. '04 ch.33 §1, '98 ch.24 §1, S. §597, 607, 704 rel. to teachers certificates, expenses of Supt. of Education, courses in elementary schools, and school elections. 6§ '06 ch.43, 18 Dec.
- r **Wash.** Creating comn. to revise and recodify Code of Public Instruction; to consist of Supt. of Public Instruction, Atty. Gen. and 3 appointees of Gov.; report to Legis. 1909; \$500. 6§ '07 ch.141, 12 Mar.
- s **Wash.** Amdg. '97 ch.118 §49, 100, 112: annual meeting of school directors; county supt. to approve school plans; census; institutes; special levy. Adds §33½, 47½. 5§ '07 ch.163, 13 Mar.
- t **Wash.** Amdg. sundry sections of '97 ch.118 rel. to public school system. 18§ '07 ch.240, 18 Mar.
- u **Wis.** Requesting Cong. to bring about amdt. to U. S. Const. providing for harmonious system of education throughout country. '07 p.1295

2220

- v **Wy.** Amdg. R.S.'99 §530, 563, 1192: *fiscal school year to end Apr. 13*; district clerk to report to county supt. by *4th Monday of May* [1st Monday of Sept.]; latter to report to Supt. of Public Instruction by *4th Monday of July* [1st Monday of Oct.]. 3§ '07 ch.15, 13 Feb.

2223

## Elementary and secondary education

- a **Ala.** Amdg. '03 p.289 §6, 9, 10, 16, 17, 19, '20 rel. to school trustees and districts. 7§ '07 p.478, 17 July
- aa **Ari.** Amdg. school laws generally. 29§ '07 ch.67, 21 Mar.
- b **Ill.** Comn. of 6 to be appointed by Gov. to investigate common school system of Ill.; report to Legis. of 1909; \$10,000. 7§ '07 p.24, 25 May
- c **Mich.** Amdg. C.L.'97 §4665, 4667, 4674, 4691: powers of school meeting; filling vacancy in school district office; compensation of officers; duties of district *treasurer* [assessor]. 4§ '07 ch.91, 15 May
- d **Nev.** Reorganization of system of school supervision and maintenance. 98§ '07 ch.182, 29 Mar.
- e **N. J.** Bds. of Education may establish evening schools to instruct foreign born residents over 14 years of age in English and civics. 5§ '07 ch.36, 11 Apr.
- f **N. J.** Amdg. '03 (ex. sess.) ch.1 art.10, title and §126: school facilities and accommodations required to be furnished defined. 2§ '07 ch.123, 7 May
- g **N. D.** Amdg. sundry § R.C.'05 rel. to education. 9§ '07 ch.95, 19 Mar.
- h **Or.** Distribution of schools funds; defining powers and duties of county supts.; creating district boundary bds. and county bds. of examiners; qualifications of teachers; duties of district clerks. Rep. Ann. C.& S. §3360-62, 3377, 3395; '03 p.99. 55§ '07 ch.116, 23 Feb.
- i **S. D.** Uniform system of education. Rep. P.C. ch.22, '03 ch.75, 126-33, '05 ch.68, 99, 100, 102, 103, 158, 162. 245§ '07 ch.135, 13 Mar.
- j **Tenn.** Joint legis. committee of 7 to report on legislation looking to uniform system of public schools. '07 p.2237, 2 Feb.
- k **Vt.** Appropriating \$20,000 to be apportioned among towns furnishing pupils in elementary schools with board and transportation. Amds. S. §763. 4§ '06 ch.53, 22 Nov.
- n **Vt.** Rep. S. §643, 656, 851 which relate to establishment of training schools, graded schools and apportionment of school moneys. 1§ '06 ch.46, 19 Dec.
- p **Wash.** Amdg. '97 ch.118 §75, 78, 89, 97, 98 rel. to schools: districts; elections; directors; sites; tax. 5§ '07 ch.31, 21 Feb.

2225

## Meetings. Elections. Suffrage

- a **Ill.** Time of elections in school districts under special charters. 2§ '07 p.525, 8 Apr.
- b **Minn.** At school election in district of 50,000 polls to remain open from 6 a. m. to 7 p. m. 1§ '07 ch.278, 22 Apr.
- c **Pa.** Election of school directors where borough is erected out of township and school district left intact. 2§ '07 ch.178, 23 May

## EDUCATION

2226

### *Voting qualifications*

- a     **S. D.** Qualifications of voters in school districts situated in 2 counties. 2§ '07 ch.141, 20 Feb.

2227

### **Districts. Formation. Division. Consolidation**

*See also 2272, Consolidation of schools*

- a     **Ari.** "An act . . . to provide for the creation and rearrangement of school districts in certain cases." Amds. R.S.'01 §2165-67, 2170. 6§ '07 ch.36, 14 Mar.
- b     **Ari.** Authorizing consolidation of school districts; procedure. 8§ '07 ch.88, 21 Mar.
- c     **Ct.** Appraisal of school property of consolidated districts. 1§ '07 ch.14, 21 Mar.  
       Amended. 1§ '07 ch.93, 27 May
- d     **Del.** County school comm. may alter school districts for colored people. 1§ '07 ch.123, 29 Mar.
- e     **Ga.** Amdg. '05 p.425 rel. to formation and govt. of school districts. 4§ '07 p.100, 22 Aug.
- f     **Id.** Amdg. '99 p.85 §5, 66 rel. to altering school districts and attendance of children outside of district. 3§ '07 p.16, 15 Feb.
- g     **Kan.** Amdg. G.S.'01 §6137: "depopulated school district" to mean district having less than 5 [3] legal voters, and less than 7 persons between 5 and 21 years of age. 2§ '07 ch.322, 7 Mar.
- h     **Kan.** Amdg. G.S.'01 §6139: "partially depopulated school district" to mean district having less than 12 [7] persons between 5 and 21 years of age. 2§ '07 ch.323, 7 Mar.
- i     **Kan.** Amdg. G.S.'01 §6112 rel. to creation and alteration of school districts: restrictions on population and assessed valuation of new districts may be disregarded with approval of bd. of county comrs. 2§ '07 ch.329, 9 Mar.
- j     **Kan.** Amdg. G.S.'01 §6250-51 rel. to graded school districts: powers of single districts establishing graded schools; time of union graded school district meeting. 3§ '07 ch.331, 9 Mar.
- k     **Mich.** Amdg. C.L.'97 §4746-48, 4750 rel. to organization of graded school districts. 1§ '07 ch.247, 27 June
- n     **Minn.** Amdg. R.L.'05 §1282 rel. to petition for formation of new school district: to be approved *or disapproved* by county supt. in writing. 1§ '07 ch.110, 5 Apr.
- p     **Minn.** Amdg. R.L.'05 §1286: municipality under 2000 partly in school district may be wholly included. 1§ '07 ch.188, 15 Apr.
- q     **Minn.** To aid establishment of consolidated rural schools; conditions. 3§ '07 ch.304, 22 Apr.
- r     **Mo.** Change of boundaries of school district. Adds R.S.'99 §9875a. 1§ '07 p.426, 29 Mar.
- s     **Mon.** Amdg. P.C. §1770: school district of 1st class to have population of 8000 [12,000]. 2§ '07 ch.69, 4 Mar.
- t     **Neb.** Amdg. C.S.'05 §5422 rel. to dissolution of school district. 2§ '07 ch.117, 2 Mar.

2227

- u **Neb.** Readjustment of boundaries of school district containing 3 sections of land or less. 1§ '07 ch.116, 5 Apr.
- v **Neb.** Amdg. C.S.'05 §5477: parents of children attending school in district adjoining that of residence, to vote in such district. 2§ '07 ch.120, 6 Apr.
- w **N. Y.** Amdg. consolidated school law '94 ch.556 rel. to changing school districts. 1§ '07 ch.609, 18 July
- x **N. D.** Amdg. R.C.'05 §938-41, 943 rel. to special district constituting part of school district. 2§ '07 ch.223, 13 Mar.
- y **N. D.** Amdg. R.C.'05 §949 rel. to attaching adjacent territory to city, village or town for school purposes: may be in adjoining county. 1§ '07 ch.106, 14 Mar.
- z **N. D.** Amdg. R.C.'05 §1016 rel. to reports of treasurers of independent school districts. 1§ '07 ch.222, 14 Mar.
- za **U.** Financial adjustment on annexation of school district to city of 1st, 2d or 3d class. 3§ '07 ch.56, 14 Mar.
- zb **U.** Amdg. '05 ch.107 §1,4 rel. to county school district of 1st class. 2§ '07 ch.113, 14 Mar.
- zc **Vt.** Merger of town and incorporated school districts. 4§ '06 ch.58, 12 Dec.
- zd **Vt.** Extending to school districts in unorganized towns, gores and incorporated school districts laws rel. to towns. Rep. '98 ch.2 §1; S. §656, 826, 828, 829, 851. 2§ '06 ch.60, 18 Dec.
- ze **Wis.** Dissolution of high school district and city district. Adds S.'98 §490a, 430n. 2§ '07 ch.588, 12 July

2228

# Officers. Boards

- a **Vt.** Employment of supt. of schools by unions of towns. Rep. S. §622-25. 7§ '06 ch.45, 7 Nov.

2229

# State

- a **Cal.** Amdg. P.C. §1532 rel. to duties of Supt. of Public Instruction. 1§ '07 ch.53, 1 Mar.
- b **Cal.** Submitting amdt. to Const. 1879 art.9 §7: composition of State Bd. of Education; uniform textbooks. 1§. Vote Nov. 1908. '07 p.1369, 14 Mar.
- c **Ct.** Amdg. G.S.'02 §4811: salary of chief clerk of State Bd. of Education \$2500 [\$1800]. 1§ '07 ch.7, 20 Mar.
- d **Me.** Salary of State Supt. of Schools \$2500; official duties to be performed at seat of govt. 2§ '07 ch.171, 27 Mar.
- e **Mon.** Amdg. P.C. §875, 1716: Salary of Supt. of Public Instruction \$3000 [\$2500]. 2§ '07 ch.116, 6 Mar.
- f **Pa.** Salary of Supt. of Public Instruction \$5000; of deputies \$2000. 2§ '07 ch.71, 15 Apr.
- g **Pa.** Providing for 5000 copies of report of Supt. of Public Instruction and 15,000 copies of School Laws and Decisions additional. 1§ '07 ch.201, 28 May
- h **R. I.** Amdg. G.L. ch.52 §2: Comr. of Public Schools to have \$1600 for clerical assistance. 2§ '07 ch.1473, 23 Apr.
- i **Tenn.** Amdg. C. '96 §1409 subdiv.12 rel. to *biennial* [annual] report of State Supt. of Schools. 2§ '07 ch.153, 21 Mar.

# EDUCATION

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- j U. Amdg. R.S.'98 §1774 rel. to Deputy Supt. of Public Instruction. 1§ '07 ch.41, 14 Mar.
- k U. Creating State School Committee to consist of Supt. of Public Instruction, Principals of State Normal School and State Normal Training School, and 2 county supts. appointed by State Bd. of Education; to prescribe course of study for schools outside of cities of 1st and 2d class. 2§ '07 ch.57, 14 Mar.
- n U. Amdg. '01 ch.73 §1: salary of Supt. of Public Instruction \$2400 [\$1800]. 1§ '07 ch.92, 14 Mar.
- p Wis. Appropriating \$500 for library and material and apparatus for lectures in office of State Supt. of Public Instruction. 1§ '07 ch.103, 15 May
- q Wis. Amdg S.'98 §170; '01 ch.439 §11; '05 ch.499 rel. to salaries of employees of Supt. of Public Instruction. Rep.'99 ch.297 §3. 5§ '07 ch.472, 2 July

2230

## County

- a Ark. Election of county supt. of schools where established by referendum vote; educational qualification; duties and compensation. 18§ '07 ch.399, 27 May
- b Cal. Amdg. P. C. §1543 rel. to duties of county school supts.: transfer of funds of lapsed district; requisitions; temporary teachers certificates. 1§ '07 ch.57, 1 Mar.
- c Cal. Amdg. P.C. §1770: county bds. of education to meet semi-annually. 1§ '07 ch.156, 9 Mar.
- d Fla. Amdg. G.S.'06 §344: members of county school bd. to receive \$4 [\$2] per day. 2§ '07 ch.61, 27 May
- e Fla. Compensation of county supts. of public instruction graded according to income of county for school purposes. 1§ '07 ch.63, 3 June
- f Id. Amdg. '99 p.309 §14: county supt. of public instruction to have 2 assistants at \$4 per day. 2§ '07 p.323, 13 Mar.
- g Kan. Amdg. '03 ch.202 §1 rel. to supts. of public instruction: county supt. must hold 1st [or 2d] grade certificate; not to apply to persons now supt. elect. 2§ '07 ch.167, 9 Mar.
- h Mich. Amdg. C.L.'97 §4814-15 rel. to powers of county comr. of schools and school examiners. 2§ '07 ch.127, 5 June
- i Minn. County supt. of schools to be allowed traveling expenses. 1§ '07 ch.33, 8 Mar.
- j Minn. Creating county bds. of education for unorganized territory; duties. 9§ '07 ch.76, 28 Mar.
- k Minn. Submitting amdt. to Const. 1857 art.7 §7: educational qualifications for county supts. of schools; Legis. to fix. 2§ '07 ch.480, 24 Apr.
- n Mo. Amdg. R.S.'99 §9813 rel. to salaries of county school supts. 1§ '07 p.432, 20 Mar
- p Mon. Allowing county supt. of schools not to exceed \$300 traveling expenses. 2§ '07 ch.27, 21 Feb.
- q N. D. Amdg. R.S.'05 §777 rel. to salary of county supt. of schools. 1§ '07 ch.105, 12 Mar.

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- r Or.** County school supt. may hold annual convention of chairmen of school bds. 3§ '07 ch.35, 16 Feb.
- s Pa.** Amdg. '03 ch.167 rel. to county associations of school directors. 6§ '07 ch.24, 22 Mar.
- t Tex.** Amdg. '05 ch.124 §36, 37, 40 rel. to county school supts. 3§ '07 ch.111, 16 Apr.
- u U.** Amdg. R.S.'98 §1785 rel. to duties of county school supts.: not to prescribe courses of study. 1§ '07 ch.58, 14 Mar.
- v W. Va.** Amdg. C. ch.45 §53 rel. to qualifications and compensation of county supt. of schools. 1§ '07 ch.58, 20 Feb.
- w Wis.** County uniformity in school textbooks; county bds. of education. Adds S.'98 §553m subdiv.1-25. 25§ '07 ch.561, 10 July

2231

## *District, township and municipal*

- a Ct.** Election of members of town school committees and school visitors. 3§ '07 ch.39, 17 Apr.
- b Ct.** Amdg. '03 ch.195 §5: school bd. of town employing not over 20 [10] teachers may petition State Bd. to appoint agent to act as supt. 1§ '07 ch.259, 31 July
- c Id.** Amdg. '99 p.316 §81: election for school trustees 1st *Tuesday* [Monday] of Sept. 1§ '07 p.316, 13 Mar.
- d Id.** Amdg. '99 p.96 §45 rel. to duties of school trustees. 1§ '07 p.341, 13 Mar.
- e Id.** Amdg. '03 p.430 §42 rel. to election for school trustees. 2§ '07 p.343, 13 Mar.
- f Ill.** Election and powers of school inspectors in districts under special acts. Rep. sundry acts. 6§ '07 p.525, 25 May
- g Ia.** Amdg. C. §2771 rel. to filling vacancies on school bd. 1§ '07 ch.150, 4 Apr.
- h Me.** Amdg. R.S.'03 ch. 15 §41-43 rel. to supt. employed by union of school committees: state to pay  $\frac{2}{3}$  of salary; union to continue for 3 years. 3§ '07 ch.101, 22 Mar.
- i Mich.** Amdg. C.L.'97 §3340-42 rel. to election of school trustees in cities of 4th class. 3§ '07 ch.110, 22 May
- j Minn.** Amdg. '03 ch.289 §5, 6 rel. to school inspectors in certain cities of under 10,000. 2§ '07 ch.50, 16 Mar.
- k Minn.** Amdg. R.L.'05 §1328: school district treasurer to give bond in twice amount to be handled; identical amount if bond of surety company. 1§ '07 ch.95, 4 Apr.
- n Mo.** Amdg. R.S.'99 §9864: school bd. authorized to appoint supt. of school for 2 year term if already twice annually elected. 1§ '07 p.427, 6 Mar.
- p Nev.** Amdg. C.L.'00 §1293 rel. to duties of trustees of school districts. 2§ '07 ch.160, 29 Mar.
- q N. J.** Amdg. '03 (ex. sess.) ch.1 §85, 91 rel. to organization of bds. of education in towns, townships and boroughs and clerk thereof. 3§ '07 ch.119, 7 May
- r N. M.** Amdg. C.L.'97 §1527: county supt. to appoint directors in new school district where no election held. 1§ '07 ch.99, 21 Mar.

## EDUCATION

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- s** **N. Y.** Providing dept. of public instruction in city of Syracuse. 17§ '07 ch.543, 21 June
- t** **Tex.** Amdg. '05 ch.124 §93, 94: educational qualification for school trustees; removal of unqualified. 2§ '07 ch.106, 16 Apr.
- u** **U.** Amdg. '05 ch.107 §13 rel. to bds. of education in county school districts of 1st class: member's traveling expenses not to exceed \$100 [\$50] per year. 1§ '07 ch.43, 14 Mar.
- v** **U.** Amdg. R.S.'98 §1899: if bd. of education in city of 1st or 2d class fail to fill vacancy in 30 days, mayor and council to appoint. 1§ '07 ch.134, 23 Mar.
- w** **Wis.** Amdg. S.'98 §430 subdiv. 18: compensation of school district clerk, *treasurer and director*. 1§ '07 ch.71, 3 May
- x** **Wis.** Amdg. S.'98 §430 subdiv. 7: school district may vote to pay premium of surety company bond for treasurer. 1§ '07 ch.81, 4 May
- y** **Wis.** Amdg. S.'98 §463 rel. to report of town clerk to county supt. of schools: 2 [1] copies to be sent. 1§ '07 ch.185, 6 June
- z** **Wis.** Increase of members of certain school district bds. Adds. '05 ch.421 §1m. 1§ '07 ch.198, 12 June
- za** **Wis.** Town clerk to arrange meeting of school district clerks to perfect annual report. Adds S.'98 §467 subdiv.1a. 1§ '07 ch.322, 21 June
- zb** **Wis.** Amdg. S.'98 §462a: school district clerks to meet with town clerk to perfect annual reports. 1§ '07 ch.441, 27 June
- zc** **Wis.** Rep. and reenacting S.'98 §925 subdiv.113 rel. to election or appointment of bds. of education in cities other than of 1st class. 1§ '07 ch.480, 9 July

2233

### Buildings. Grounds

- a** **Ari.** Adding to R.S.'01 §2256: trustees to submit to voters levies for constructing, altering and equipping schools. 2§ '07 ch.60, 21 Mar.
- b** **Col.** Amdg. Ann. S.'91 §4013 which authorizes school district to take land by eminent domain. 1§ '07 ch.217, 9 Apr.
- c** **Ill.** School authorities may exercise right of eminent domain. 1§ '07 p.522, 24 May
- d** **Ind.** Appointment by Circuit Court of 3 freeholders to appraise land taken for school purposes; procedure; tender; costs. Rep.'81 ch.87. 5§ '07 ch.87, 1 Mar.
- e** **Ind.** Amdg. '99 ch.192 §3: school trustees to provide janitor help. 1§ '07 ch.218, 9 Mar.
- f** **Ind.** Amdg. '03 ch.200 §4 authorizing school trustees to issue bonds for erection and repair of school buildings: authorizing additional issue of 2% of taxable property. 1§ '07 ch.224, 9 Mar.
- g** **Ind.** On petition of ⅓ of voters trustee may sell school property unused for 2 years; procedure. 1§ '07 ch.267, 12 Mar.
- h** **Ind.** Bonds for erection of school buildings in towns of less than 2000. 7§ '07 ch.268, 12 Mar.
- i** **Ind.** School trustees of cities and incorporated towns of less than 5000 may issue bonds to erect school buildings. 5§ '07 ch.285, 12 Mar.
- j** **Ia.** Amdg. C. §2814 rel. to size and location of school building site. 1§ '07 ch.153, 5 Apr.

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- k Mich.** Amdg. C.L.'97 §4717 rel. to issuance of bonds by school district for erection and equipment of schoolhouse. 1§  
'07 ch.256, 27 June
- n Minn.** City of 50,000 may issue \$300,000 of bonds for construction of graded schools. 4§  
'07 ch.21, 27 Feb.
- p Neb.** Amdg. C.S.'05 §5566-69 rel. to schoolhouse sites: provisions applicable to [metropolitan] cities. 5§  
'07 ch.126, 3 Apr.
- q N. J.** Bds. of education may transfer unused school building to township for mun. purposes. 2§  
'07 ch.49, 12 Apr.
- r N. J.** Bds. of education may convey old school buildings to municipality for nominal sum. 1§  
'07 ch.158, 10 May
- s N. D.** Amdg. R.C.'05 §829 rel. to schoolhouses: district bd. to consult with county supt. and county supt. of health rel. to construction; State Supt. to furnish plans of schoolhouses of 1 and 2 rooms; county supt. of health, chairman of bd. of county comrs. and county supt. constituted bd. to inspect schools with reference to sanitary conditions. 1§  
'07 ch.96, 14 Mar.
- t Pa.** Prohibiting condemnation for school purposes of lands of religious or educational institutions. 3§  
'07 ch.99, 25 Apr.
- u Tenn.** City or taxing district of 100,000 may issue \$300,000 of bonds for school buildings and property. 7§  
'07 ch.41, 12 Feb.
- v Wis.** Selection of school site by bd. of education of city of 3d class. Adds S.'98 §926 subdiv.17. 1§  
'07 ch.69, 1 May

2234

## Plans

- a Tenn.** State Supt. of Public Instruction to have prepared and distributed to local school authorities plans of school buildings costing from \$300 to \$5000. 3§  
'07 ch.234, 1 Apr.
- b Wis.** State Supt. of Public Instruction to procure architect's plan for not to exceed 4 room school buildings to loan to district erecting school; other plans used to be approved by county supt. Adds S.'98 §524l. 1§  
'07 ch.425, 26 June

2235

## Sanitation

- a Pa.** Stoves in schoolrooms to be inclosed in jackets; windows to be adjusted so as not to permit draughts on children; thermometer in each room; bd. neglecting to comply to be dismissed from office. 4§  
'07 ch.240, 29 May
- b Wis.** School bd. to maintain suitable outbuildings. Adds S.'98 §435a. 1§  
'07 ch.232, 18 June

2236

## United States flag

- a Cal.** School authorities to provide flags to be raised over schoolhouses during sessions; smaller flags for classrooms. Adds §1617a to P.C. 1§  
'07 ch.225, 15 Mar.
- b Ind.** School trustees to accept donations for U. S. flag to be displayed on holidays; penalty. 4§  
'07 ch.253, 12 Mar.
- c Kan.** U. S. flag to be displayed at public schools; flag exercises daily and observance of holidays. 4§  
'07 ch.319, 6 Mar.
- d Me.** Municipalities to furnish all schools with flags. 1§  
'07 ch.182, 28 Mar.



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- e Or.** Requiring display of U. S. flag on school buildings in clement weather during school hours. 2§ '07 ch.37, 16 Feb.
- f Tenn.** Requiring display of U. S. flag on school buildings in counties of 70,000 to 90,000; penalties. 3§ '07 ch.480, 15 Apr.
- g U.** American flag to be displayed on schoolhouse on legal holidays, Feb. 12 and Flag day. 1§ '07 ch.32, 11 Mar.

2236(5

### *Use*

- a Wis.** Schoolhouses may be used for public meetings for social and educational purposes. 1§ '07 ch.244, 19 June
- b Wis.** Amdg. S.'98 §435: school bd. may allow use of school building for public entertainment, under its auspices, and permit charging of admission fee. 1§ '07 ch.270, 19 June

2237

### General school finance

For finance of state educational institutions *see* 2333

- a Minn.** Amdg. R.L.'05 §1321, 1327, 1330 rel. to privileges of non-resident taxpayer in school district, payment of teachers' salaries, orders of bd. on treasurer. 3§ '07 ch.445, 25 Apr.
- b N. J.** Amdg. '03 (2d ex. sess.) ch.1 §73: vacancy on bd. of school estimate to be filled immediately. 1§ '07 ch.276, 28 Oct.
- c Wash.** Amdg. '07 ch.118 §95 rel. to sale of school property in city of 10,000. 1§ '07 ch.143, 13 Mar.

2239

### State and local

- a Neb.** State aid to provide at least 7 months of school in districts whose funds are insufficient. 3§ '07 ch.119, 10 Apr.

2240

### *Funds. Lands. Taxes*

*See also* 774, Public lands

- a Ari.** Giving use and control of certain school lands to Tempe Normal School. Amds. R.S.'01 t.65. 6§ '07 ch.52, 18 Mar.
- b Ark.** Amdg. S.'04 §6888, 7590 rel. to common school levies: state, 3 [2] mills; local not to exceed 7/10 [½]%. 3§ '07 ch.189, 17 Apr.
- c Cal.** Amdg. P.C. §1576: county assmt. roll to be used for territory annexed to municipality for school purposes only. 1§ '07 ch.83, 4 Mar.
- d Id.** Amdg. '03 p.431 §84: district school levy not to exceed 20 [15] mills. 2§ '07 p.304, 13 Mar.
- e Ill.** Amdg. '89 p.258 art.2 §20 rel. to apportionment of principal and interest of county school fund among townships. 1§ '07 p.521, 17 May
- f Ind.** Certain funds, and proceeds of estates unclaimed 5 years to be part of common school fund; procedure as to unclaimed estates. 2§ '07 ch.43, 25 Feb.
- g Ind.** County to publish quarterly amount of common school fund on hand subject to loan; penalty. 2§ '07 ch.50, 25 Feb.

2240

- h Ind.** Taxes collected by school trustees to pay bonds unlawfully issued to be transferred to special school revenue of town. 1§  
'07 ch.55, 25 Feb.
- i Ind.** Issuing \$120,548 in bonds to Vincennes University in settlement for lands taken from it by state in 1820. 2§ '07 ch.244, 9 Mar.
- j Ind.** Amdg. '05 ch.32 §5, 8 rel. to common school fund. 2§  
'07 ch.237, 11 Mar.
- k Ind.** Amdg. '05 ch.32 §1 rel. to tax for common school tuition fund: annual levy of 13c [11c] on \$100 and poll tax of 50c on voters. 1§  
'07 ch.249, 11 Mar.
- n Ia.** Amdg. C. §2808-9, 2850, 2855 rel. to permanent school fund. 4§  
'07 ch.151, 10 Apr.
- p Kan.** Record of forfeiture of interest in school lands; rights of new purchasers. 5§  
'07 ch.373, 24 Jan.
- q Kan.** Sale of islands in navigable streams for benefit of permanent school fund. 1§  
'07 ch.378, 7 Mar.
- r Kan.** Amdg. '05 ch.473 rel. to exchange of bonds by Permanent School Fund Comrs.: rate of interest. 2§  
'07 ch.377, 9 Mar.
- s Me.** Amdg. R.S.'03 ch.15 §13, 124: town school tax 55c [80c] per capita; state tax for common schools 1 1/2 [1] mills. 2§  
'07 ch.111, 26 Mar.
- t Minn.** Amdg. R.L.'05 §1415 rel. to additional levy in school district of 50,000. 1§  
'07 ch.308, 22 Apr.
- u Mo.** Amdg. R.S.'09 §9850 rel. to time of settlement of county or township treasurer with County Court for school funds. 1§  
'07 p.426, 20 Mar.
- v Mon.** No selections of indemnity school land to be made for institutions of learning or public buildings in any county where state has already selected 100,000 acres. 2§  
'07 ch.50, 27 Feb.
- w Mon.** Amdg. P.C. §1940a-b: common school levy 4 [2] mills; special levy not to exceed 10 [5] mills; in 1st and 2d class districts special levy to maintain school for 9 months. 3§  
'07 ch.51, 27 Feb.
- x Neb.** Distribution of U. S. forest reserve fund to counties for road and school funds. 3§  
'07 ch.143, 29 Mar.
- y Neb.** Amdg. C.S.'05 §5837 rel. to taxation of educational or saline lands. 2§  
'07 ch.135, 4 Apr.
- ya Neb.** Rep. C.S.'05 §5556, providing for state school tax. 1§  
'07 ch.125, 5 Apr.
- yb Neb.** Amdg. C.S.'05 §5830 rel. to unpaid principal on sale contracts for school or saline lands. 2§  
'07 ch.133, 5 Apr.
- yc Neb.** Apportionment of tax levy of joint school district lying in 2 counties. 2§  
'07 ch.118, 6 Apr.
- yd Neb.** Amdg. C.S.'05 §5835 rel. to sale of school lands: persons to whom sale may be made. 2§  
'07 ch.134, 9 Apr.
- ye N. D.** Amdg. R.C.'05 §155 rel. to investment of permanent school funds. 1§  
'07 ch.228, 16 Jan.
- yf N. D.** Amdg. R.C.'05 §838-42 rel. to mill tax for educational institutions. 6§  
'07 ch.107, 6 Mar.
- ygn N. D.** Amdg. R.C.'05 §182 rel. to assignee of school land purchaser. 1§  
'07 ch.227, 8 Mar.

# EDUCATION

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- yh** N. D. Amdg. R.C.'05 §926, 928, 935 rel. to depositories of school funds. 3§ '07 ch.103, 13 Mar.
- yi** N. D. Amdg. R.C.'05 §165 which provides for appointment of *deputy* [chief clerk] to Comr. of University and School Lands. 1§ '07 ch.163, 13 Mar.
- yj** N. D. Contract for school land may be surrendered where railroad subsequently located thereon. 1§ '07 ch.225, 19 Mar.
- yk** N. D. Amdg. R.C.'05 §183 rel. to surrender and division of school land contract. 1§ '07 ch.226, 19 Mar.
- yn** N. D. Submitting amdt. to Const. 1889 §158 rel. to sale of school lands; provisos. 1§. Vote Nov. 1908.  
'05 p.350, 6 Mar.; '07 p.409, 23 Mar.
- yp** N. D. Referring to next Legis. amdt. to Const. 1889 §158: sale of school and public lands. 1§ '07 p.454, 23 Mar.
- yq** N. D. Submitting amdt. to Const. 1889 §158 rel. to sale of school lands; provisos. 1§. Vote Nov. 1908. '07 p.457, 23 Mar.
- yr** Or. Requesting Cong. to apply income from forest reserves in state to irreducible school fund. '07 p.518, 14 Feb.
- ys** Or. Amdg. Ann. C.& S. §3371: districts to be entitled to school moneys to report to county supt. *15 days after school meeting* [2d Monday of July]; must have had school 4 [3] months during year. 1§ '07 ch.96, 23 Feb.
- yt** Or. Amdg. Ann. C.& S. §3374: school tax in counties \$7 [\$6] per capita of children. Rep. §3086. 2§ '07 ch.99, 23 Feb.
- yu** S. C. Amdg. C.C. §1208 rel. to special levies for school purposes: election must be held June 1 or before. 1§ '07 ch.292, 20 Feb.
- yv** S. D. Amdg. P.C. §385 rel. to patents of state lands: delivery to assignee or heir of original purchaser. 2§ '07 ch.228, 8 Feb.
- yw** S. D. Comr. of School and Public Lands may sell pine on such lands under direction of Bd. of School and Public Lands; for benefit of permanent school fund. 5§ '07 ch.224, 25 Feb.
- yx** S. D. Amdg. P.C. §393 rel. to fees derived from sale and lease of school and public lands: to be credited to *interest and income* [gen.] fund of *class from which derived*. 2§ '07 ch.225, 6 Mar.
- yy** S. D. Indemnity, common school and endowment lands to be classified as agric., timber and grazing; 50,000 acres to be sold annually till ¼ disposed of. 4§ '07 ch.226, 6 Mar.
- yz** Tenn. Annual appropriations for public schools. Rep. '05 ch. 105. 7§ '07 ch.537, 15 Apr.
- z** Tex. Submitting amdt. to Const. 1876 art.7 §3: *majority* [¾] of taxpayers of school district may vote additional tax of *50c* [20c] on \$100. 2§. Vote Nov. 1908. '07 p.413, 20 Mar.
- za** Tex. Amdg. R.C.S.'95 art.5047: levy for free schools *20c* [18c] on \$100. 1§ '07 ch.66, 5 Apr.
- zb** Tex. Amdg. '05 ch.124 §58 rel. to special local school tax. 1§ '07 ch.83, 6 Apr.
- zc** Tex. Authorizing sale of guayule on public free school lands. 1§ '07 ch.135, 18 Apr.

2240

- zd** U. Amdg. R.S.'98 §1936 rel. to school tax in city: levy of 6 1/2 [5½] mills, 3 of which for teachers' salaries. 1§  
'07 ch.89, 14 Mar.
- ze** Vt. "An act to provide for a permanent public school fund." Amds. S. §740; rep. §737-44, 749-51, 753; '04 ch.42. 18§  
'06 ch.54, 14 Dec.
- zf** Wash. Amdg. '97 ch.118 §111: school levy to be retained by county treasurer [transmitted to State Treasurer] and paid out by him. 1§  
'07 ch.102, 11 Mar.
- zg** W. Va. Amdg. C. ch.45 §38, 40 rel. to levies for school purposes. 2§  
'07 ch 70, 27 Feb.
- zh** Wis. Amdg. '99 ch.81 §1 to be S.'98 §926 subdiv.145: school district containing all or part of city of 3d or 4th class may levy school tax at same rate as such city. 1§  
'07 ch.67, 30 Apr.
- zi** Wis. Amdg. S.'98 §471 rel. to asmt. of property in joint school district. 1§  
'07 ch.90, 10 May

2241

*Investment of funds*

- a** Minn. Officers of common school district may designate depository for school moneys; treasurer required to deposit therein; thereafter not liable for such deposit. 4§  
'07 ch.133, 9 Apr.
- b** Minn. Bd. of Investment for school, university and other permanent trust funds to consist of Chief Justice of Supreme Court, President of Bd. of Regents, Gov., State Treasurer and State Auditor; last 3 to act rel. to loans to counties, municipalities etc.; otherwise unanimous vote required. 2§  
'07 ch.340, 23 Apr.
- c** Minn. Amdg. R.L.'05 §2435 rel. to investment of permanent school and university funds. 1§  
'07 ch.348, 23 Apr.
- d** Minn. Authorizing investment of school district sinking fund in bonds of county, school district or municipality of state. 2§  
'07 ch.354, 23 Apr.
- e** Neb. Submitting amdt. to Const. 1875 art.8 §9 rel. to investment of school funds: may be invested in *registered school district bonds and such other securities as Legis. may direct*. 1§ Vote Nov. 1908.  
'07 ch.201, 5 Mar.
- f** Neb. Amdg. C.S.'05 §6383 rel. to registration and payment of state warrants; investments of educational trust funds in warrants. 2§  
'07 ch.158, 5 Apr.
- g** N. D. Amdg. R.C.'05 §155 rel. to investment of school land funds. 2§  
'07 ch.224, 19 Mar.
- h** N. D. Submitting amdt. of Const. 1889 §162: school funds may be invested in drainage bonds or bonds of states not having repudiated indebtedness. 1§. Vote Nov. 1908.  
'05 ch.101, 25 Feb.; '05 p.351, 25 Feb.; '07 p.456, 23 Mar.
- i** Wash. Creating State Bd. of Finance to consist of Gov., State Treasurer and State Auditor; to invest school or state institutional funds in public bonds, giving preference to school district bonds; conditions. 4§  
'07 ch.12, 11 Feb.

## EDUCATION

2242

### *Apportionment*

- a **Cal.** Apportionment of taxes for payment of school bonds in case of merged, annexed, new and joint districts. Adds §1888a. to P.C. 1§ '07 ch.508, 23 Mar.
- b **Ct.** Amdg. '03 ch.102 §3 rel. to certificate of sec. of local school bd. to entitle town to public money. 1§ '07 ch.135, 21 June
- c **Ct.** Amdg. '03 ch.102 §1: town of under \$1,000,000 [\$500,000] assessed valuation to receive state aid for schools. 2§ '07 ch.216, 17 July
- d **Fla.** Public school having 80% attendance to receive from state maintenance for 2 months in addition to regular term; exceptions. 4§ '07 ch.59, 22 May
- e **Ind.** School officers to file duplicate report of children transferred to district; apportionment of funds. 2§ '07 ch.189, 9 Mar.
- f **N. J.** Rep. '06 ch.146 rel. to apportionment of railroad and canal taxes for support of public schools. 1§ '07 ch.86, 17 Apr.
- g **Pa.** Amdg. '97 ch.215 §3, 5, 6: in cities of 1st and 2d class enrolment of school children and enumeration of taxables to be made by officers of bd. of education; time of making same. 3§ '07 ch.38, 4 Apr.
- h **Pa.** Supt. of Public Instruction to use return of county comrs. as to number of school children as basis for distribution of  $\frac{1}{3}$  of school appropriation. 2§ '07 ch.144, 8 May
- i **U.** Amdg. '05 ch.121 rel. to apportionment of money to districts where revenue insufficient to employ teachers: \$300 for each *teacher* [district]. 3§ '07 ch.24, 11 Mar.
- j **U.** Amdg. R.S.'98 §1775 rel. to apportionment of school fund. 1§ '07 ch.45, 14 Mar.
- k **Wis.** Amdg. '01 ch.439 §10 to be S.'98 §496e rel. to state aid for graded schools; of 2d class to receive \$200 [\$100]; total not to exceed \$120,000 [\$80,000]. 1§ '07 ch.375, 24 June
- n **Wis.** State aid for rural schools. Adds S.'98 §560f-m. 9§ '07 ch.600, 12 July

2244

### County, district and municipal

- a **Col.** Duties of county treasurer and school bd. as to school moneys. 6§ '07 ch.218, 15 Apr.
- b **Ill.** Amdg. '89 p.258 §202 authorizing annual school tax levy: expenses for repair of school buildings to be taken out of levy for building purposes in cities of less than 100,000; no election required to authorize tax for repairs or to pay special asmt. 1§ '07 p.519, 20 May
- c **Kan.** Amdg. G.S.'01 §6262 rel. to school tax levy in cities of 1st class: fiscal year to begin 1 July [Jan.]; tax of 20 [8 to 15] mills authorized, 3 mills of which in cities over 38,000 to be for building purposes. Rep. '05 ch.406, 409, 421. 2§ '07 ch.330, 18 Feb.
- d **Kan.** Amdg. '05 ch.381 rel. to powers of school meetings: may vote tax of  $2\frac{1}{2}\%$  [2%; electors might vote  $2\frac{1}{2}\%$ ] may provide for payment of floating indebtedness. 2§ '07 ch.318, 9 Mar.
- e **Minn.** Division of moneys when new school district formed. 3§ '07 ch.109, 5 Apr.

2245

*Debts*

- a **Ct.** Amdg. '05 ch.137 §1 rel. to payment of debt of joint school district. 1§ '07 ch.80, 21 May
- b **Del.** Election to authorize borrowing of money by school district for building or improving school. 5§ '07 ch.122, 4 Apr.
- c **Ind.** School trustees in cities of 2d class may issue not to exceed \$150,000 bonds for erection and maintenance of buildings; special tax for redemption; sinking fund. 4§ '07 ch.107, 5 Mar.
- d **Ind.** School trustees may refund debts, levy taxes for interest, create sinking fund. 3§ '07 ch.263, 12 Mar.
- e **Ia.** School bonds. Amds. '06 ch.140. 5§ '07 ch.152, 4 Apr.
- f **Kan.** School district having warrants outstanding for more than \$5000 may issue refunding bonds not exceeding 10% of assessed valuation. 1§ '07 ch.324, 5 Mar.
- g **Kan.** County having county high school may issue bonds for high school building. 5§ '07 ch.332, 12 Mar.
- h **Neb.** Amdg. C.S.'05 §5759-61 rel. to school district bonds: not to exceed 5% of assessed valuation, except in districts containing over 150 [200] children; interest 6% [7%]. 3§ '07 ch.130, 5 Apr.
- i **Nev.** School district may issue bonds for certain purposes; referendum. 10§ '07 ch.59, 12 Mar.
- j **Pa.** Rep. '71 ch.225 which empowered Courts of Common Pleas to authorize school directors to borrow money. 2§ '07 ch.154, 10 May
- k **S. C.** Issuance of bonds in public school districts. 7§ '07 ch.246, 19 Feb.
- n **S. D.** Amdg. '05 ch.156 §1-3, 5: counties, *school districts and independent school districts* authorized to invest sinking funds in certain securities. 6§ '07 ch.101, 6 Mar.
- p **U.** Amdg. '05 ch.107 §35: indebtedness of school district not to exceed 4% [2%] of taxable property. 1§ '07 ch.81, 14 Mar.
- q **U.** Amdg. R.S.'98 §1944: election for city school bonds not invalid if bonds authorized exceed debt limit; bonds may be issued up to limitation. 1§ '07 ch.133, 23 Mar.
- r **U.** Amdg. R.S.'98 §1883: election to issue school district bonds not invalid if bonds authorized exceed limit; bonds may be issued up to limitation. 1§ '07 ch.141, 25 Mar.
- s **Wash.** Amdg. '97 ch.118 §117, 119, 121 rel. to issuance of bonds by school districts *and joint school districts*. 3§ '07 ch.101, 11 Mar.
- t **Wis.** Amdg. S.'98 §261: loan to school district not to exceed 5% of assessed valuation of [real] property, *2/3 of which is on real estate*. 1§ '07 ch.216, 14 June

2247

*Teachers*

- a **Ark.** Amdg. '05 ch.311 §1-6 rel. to teachers institutes and licenses. 9§ '07 ch.367, 23 May

2250

*Teachers associations*

- a **Wis.** Amdg. S.'98 §335e: 3000 [1500] copies of proceedings of Wis. Teachers Association to be printed. 1§ '07 ch.184, 6 June

## EDUCATION

*Teachers libraries, see 2360, School libraries*

### 2253 Employment. Pay

- a Mich.** Establishing teachers employment information bureau in office of Supt. of Public Instruction. 2§ '07 ch.251, 27 June

### 2254 Salaries

- a Cal.** Amdg. P.C. §1622: 60% of county school money and all [less 10% for libraries] of state money must be applied to teachers' salaries. 1§ '07 ch.86, 5 Mar.
- b Ind.** Regulating minimum wages of teachers according to qualifications; penalty for underpaying. 5§ '07 ch.101, 2 Mar.
- c Or.** Amds. Ann. C.&S. §3372 rep. §3377 rel. to application of 85% of county tax and irreducible school fund to teachers' salaries: unexpended balance. 2§ '07 ch.18, 13 Feb.
- d Pa.** Minimum salary of teacher in common schools \$50 per month when holding professional, permanent or normal school certificate; \$40 when holding certificates of lower grade. 5§ '07 ch.249, 31 May
- e U.** Amdg. R.S.'98 §1936 rel. to school tax in city: levy of 6 1/2 [5½] mills, 3 of which for teachers' salaries. 1§ '07 ch.89, 14 Mar.

### 2255 Pensions

- a Ill.** Interest on school funds in cities of 100,000 to be paid into teachers pension fund. 2§ '07 p.528, 24 May
- b Ill.** Teachers pension and retirement fund for cities of more than 100,000. 18§ '07 p.529, 24 May
- c Ind.** Teachers pension fund in Indianapolis. 17§ '07 ch.170, 9 Mar.
- d N. J.** Amdg. '03 ch.16 §1: teachers pensions to be paid at same time and in same manner as salaries. Rep. §2 of such act. 2§ '07 ch.121, 7 May
- e N. J.** Amdg. '03 (ex. sess.) ch.1 §213-24 rel. to teachers retirement fund. 3§ '07 ch.139, 7 May
- f N. Y.** Establishing teachers retirement fund in city of Albany. 11§ '07 ch.414, 4 June
- g Pa.** School bds. in districts of 2d and 3d class may establish and administer teachers retirement funds. 3§ '07 ch.169, 23 May
- h R. I.** Teachers pensions; under regulations of State Bd. of Education; to be paid by state; \$10,000. 3§ '07 ch.1468, 23 Apr.
- i U.** Teachers retirement comns. in cities of 1st and 2d class and counties; methods of pensioning. 18§ '07 ch.111, 14 Mar.
- j Wis.** Teachers retirement fund in city of 1st class. Adds S.'98 §925xx. 2§ '07 ch.453, 25 June

### 2258 Qualifications

- a Ala.** Rep. '99 p.217 §16: 2d and 3d grade teachers certificates may be granted more than twice. 1§ '07 p.452, 13 Mar.

2258

- b **Kan.** Issuance of temporary certificates by county supt. on request of district bd. 1§ '07 ch.342, 7 Mar.
- c **Kan.** Principal, county supt. and person appointed by bd. of trustees to constitute examining committee for high school teachers. Amds. G.S. §6444. 3§ '07 ch.335, 9 Mar.
- d **Kan.** School district examining committee; certificates. 1§ '07 ch.340, 9 Mar.
- e **Kan.** Amdg. '03 ch.424 §3, 4 rel. to county bds. of examiners and certificates: professional certificates to be valid for 3 [1] years; verbal amds. 3§ '07 ch.341, 9 Mar.
- f **Mass.** No fee for registration of teachers with State Bd. of Education. Amds. '06 ch.399 §1. 1§ '07 ch.213, 16 Mar.
- g **Mon.** Creating county bds. to examine teachers. 5§ '07 ch.47, 27 Feb.
- h **Vt.** Amdg. S. §662 rel. to permits to teach. 1§ '06 ch.48, 7 Nov.
- i **Vt.** Amdg. S. §657, 660 rel. to 2d grade and unlimited teachers certificates. 2§ '06 ch.47, 9 Nov.
- j **Wash.** Bd. of examiners in city employing 400 teachers, to examine and grant certificates to teachers. 6§ '07 ch.239, 18 Mar.
- k **Wis.** Amdg. S.'98 §458g; '03 ch.69 §1 to be S.'98 §458q rel. to qualifications of kindergarten teachers. 3§ '07 ch.317, 21 June
- n **Wis.** Amdg. '01 ch.439 §9 to be S.'98 §496d rel. to qualifications of principal of graded school of 2d class. 2§ '07 ch.374, 24 June
- p **Wis.** Granting of state teachers certificates and licenses by Supt. of Public Instruction. Adds S.'98 §458a, 458b subdiv.1-2; rep. §458a, b, d, g, h; '03 ch.64 §1. 6§ '07 ch.579, 12 July
- q **Wy.** Examination and licensing of teachers. Amds. R.S.'99 §629; rep. §631. 3§ '07 ch.65, 16 Feb.

2259

*State credentials*

- a **Ala.** Amdg. '99 p.217 §17: teacher's life certificate may be granted after 6 [10] years teaching under 1st grade certificate. 1§ '07 p.483, 17 July
- aa **Id.** Amdg. '99 p.85 §4: teacher's state certificate valid for 8 [5] years. 1§ '07 p.56, 22 Feb.
- b **Ia.** Amdg. C. §168, 2629, 2631, 2634a rel. to Bd. of Educational Examiners. 5§ '07 ch.6, 4 Apr.
- c **Mon.** Amdg. P.C. §1520: revocation of teacher's diploma; temporary certificates. 2§ '07 ch.9, 8 Feb.
- d **N. D.** Amdg. R.C.'05 §872: teacher's certificate to be revoked for violation of contract with school bd. 1§ '07 ch.104, 12 Mar.
- e **Wash.** Amdg. Ballinger's Ann. C.& S.'97 §2407 rel. to teachers certificates. 1§ '07 ch.58, 4 Mar.
- f **Wash.** Examinations for teachers state certificates and life diplomas. 1§ '07 ch.81, 7 Mar.
- g **Wis.** Amdg. S.'98 §450a rel. to examination for and renewal of teachers certificates. 1§ '07 ch.445, 27 June

2260

*Credentials from other states*

- a **Ia.** Validation of teachers certificates issued in other states. 1§ '07 ch.149, 23 Feb.



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- b **Mich.** Amdg. C.L.'97 §1826: State Bd. of Education authorized to indorse teachers certificates of other states *for life granted upon examination.* 1§ '07 ch.125, 5 June

2261

### *Certificates to graduates*

- a **Id.** Teachers certificates for graduates of normal schools and colleges. 2§ '07 p.255, 12 Mar.
- b **Ia.** State teachers certificate to be granted to graduate of accredited institution of learning. 3§ '07 ch.148, 13 Apr.
- c **Mich.** Amdg. C.L.'97 §4805 rel. to granting teachers certificates to college graduates: work required in college course. 1§ '07 ch.112, 28 May
- d **Neb.** Amdg. C.S.'05 §5537-38, 5545-48 rel. to issuance of teachers certificates to graduates of colleges and normal schools. 6§ '07 ch.123, 8 Apr.
- e **U.** Amdg. '05 ch.71 §3: temporary teacher's certificate valid for 2 years may be issued without examination to graduate of Normal Training School. 1§ '07 ch.42, 14 Mar.

2263

### **Institutes**

- a **Ind.** Annual teachers institute in each county. 1§ '07 ch.51, 25 Feb.
- b **Mon.** Amdg. P.C. §1900, 1904 rel. to county teachers institutes: joint institutes; amounts to be appropriated by different classes of counties. 3§ '07 ch.148, 7 Mar.
- c **Neb.** Amdg. C.S.'05 §5549 rel. to teachers institutes: to be held in June, July and Aug. 2§ '07 ch.124, 11 Mar.
- d **Pa.** Amdg. '05 ch.164 §1 rel. to time of holding city teachers institutes: extended to boroughs. 1§ '07 ch.40, 4 Apr.
- e **Tenn.** Amdg. '73 ch.25 §7 rel. to time of holding teachers institutes. 2§ '07 ch.348, 11 Apr.
- f **U.** Amdg. R.S.'98 §1793: *Supt. of Public Instruction, Principal of State Normal School and county supt. constituted bd.* to hold teachers institute in county. 1§ '07 ch.121, 23 Mar.

2264

### *Training classes*

- a **Neb.** Normal training to be provided in designated high schools; state aid; \$50,000. 8§ '07 ch.129, 10 Apr.
- b **N. C.** Establishing East Carolina Teachers Training School; curriculum limited to entrance requirements for University of N. C.; free tuition; 9 trustees appointed by State Bd. of Education, Supt. of Public Instruction chairman, term 6 years; \$15,000 conditioned on town of location contributing \$25,000. 19§ '07 ch.820, 8 Mar.
- c **Wis.** Amdg. '01 ch.373 §4, 5 rel. to county training schools for teachers: number in state not to exceed 20 [12]; *qualifications of teachers.* Adds §6. 4§ '07 ch.601, 12 July

2265

### *Summer schools*

- a **Fla.** Teachers summer training schools. 4§ '07 ch.57, 7 May
- b **Fla.** Payment of mileage one way to teachers summer training schools. 4§ '07 ch.60, 25 May

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- c Id. Creating Comn. of Summer Normal Schools to consist of State Bd. of Education and principals of Lewiston and Albion Normal Schools; schools to be held at Boise, Pocatello and Coeur d' Alene; \$6000. 13§ '07 p.225, 12 Mar.

2266

Normal schools

- a Ala. Establishing normal school for white teachers at Daphne; 6 trustees appointed by Gov.; latter, Supt. of Education and president of school ex officio; regulations; conditioned on donation of land and building by Baldwin Co. and \$10,000 by private persons. 14§ '07 p.327, 4 Mar.

- aa Ala. Establishing normal school for white teachers at Moundville. 14§ '07 p.656, 13 Aug.

- b Ark. Establishing State Normal School; bd. of trustees to consist of Supt. of Public Instruction, State Auditor, State Treasurer and 4 appointed by Gov. for 4 years; to consider donations of sites and moneys for buildings; admission; fees; biennial report to Legis. 19§ '07 ch.317, 14 May

- c Ill. Amdg. '05 p.379 §3 rel. to time of holding examination for scholarships in normal schools. 1§ '07 p.523, 19 Apr.

- d Ill. State normal schools may issue diplomas and confer degrees. '07 p.522, p.524, 527 (2), 1 June

- e Ind. State Bd. of Education constituted State Teachers Training Bd.; to designate schools to be accredited in state system of normal instruction; courses of study. 6§ '07 ch.239, 11 Mar.

- f Minn. Summer sessions at normal schools. 2§ '07 ch.164, 12 Apr.

- g Neb. Amdg. C.S.'05 §5590-94 rel. to junior normal schools. 6§ '07 ch.128, 27 Mar.

- h Neb. Amdg. C.S.'05 §5586 rel. to admission of pupils to state normal school: 2 years high school work required. 2§ '07 ch.127, 5 Apr.

- i N. C. Amdg. Revisal '05 §4182, 4186 rel. to colored normal schools: 6 [5] directors, term 6 years; annual appropriation for buildings etc. \$10,000. 2§ '07 ch.856, 9 Mar.

- j N. D. Referring to next Legis. amdt. to Const. 1889 §216: normal school established at Minot. 1§ '07 p.453, 11 Mar.

- k N. D. Amdg. R.C.'05 §1078-79, 1084-87, 1090: principals of normal schools to be known as presidents. 7§ '07 ch.240, 19 Mar.

- n Or. Govt. of normal schools by 1 bd. called Bd. of Regents; uniform course of study. Rep. Ann. C. & S. §3471-89, 3491-3500, 3502-7. 16§ '07 ch.189, 25 Feb.

- p Tenn. \$250,000 toward maintenance of George Peabody College for teachers at Nashville; provisos. Rep. '05 ch.211. 3§ '07 ch.19, 29 Jan.

- q Vt. Comn. to consider status of normal schools and compare same with those of other states; report 1908. '06 ch.500, 14 Dec.

- r Wash. Apportionment of pupils and money for model training school dept. of normal school. 4§ '07 ch.97, 11 Mar.

- s Wis. Regents to erect normal school at La Crosse; \$210,000. 3§ '07 ch.299, 21 June

## EDUCATION

2267

### Attendance

- a Pa. 2 periods of 1 week each during year for entrance of beginners into schools. 1§ '07 ch.246, 31 May

2270

### Compulsory attendance. Truancy

*See also 2118, Employment (children)*

- a Cal. Amdg. '03 ch.270 §3-6: truant officer in school districts of 600 census children. Adds §7½. 5§ '07 ch.77, 4 Mar.
- b Del. Compulsory education law. 9§ '07 ch.121, 15 Mar.
- c Ill. Amdg. '97 p.296 §1, 4, 5: attendance of children between 7 and 16 [14] years of age required; *except when child between 14 and 16 is necessarily and lawfully employed.* 5§ '07 p.520, 25 May
- d Ia. Amdg. C. §2823f rel. to enforcement of compulsory education law. 1§ '07 ch.154, 13 Apr.
- e Kan. Amdg. '03 ch.423 §2 rel. to truancy: truant officers in cities of 1st and 2d class to be appointed by city bd. of education; service of notice of nonattendance on parents; unlawful to employ children between 8 and 15 during school sessions, without permit of bd. Rep. G.S.'01 §6420-23. 2§ '07 ch.317, 5 Mar.
- f Mich. Amdg. '05 ch.200 §1-4 rel. to compulsory education of children. 4§ '07 ch.74, 2 May
- g Mo. Special compulsory education law for city of St Louis. 13§ '07 p.428, 19 Mar.
- h Neb. Amdg. C.S.'05 §5782 rel. to compulsory education; in city school districts children of 7-16 [15] to attend *full school year* [12 weeks]; other amds. 2§ '07 ch.131, 5 Apr.
- i N. Y. Amdg. consolidated school law '94 ch.556 §3, 5 rel. to school record certificates required in regard to compulsory attendance. 2§ '07 ch.103, 3 Apr.
- j N. Y. Amdg. consolidated school law '94 ch.556 §3-5 rel. to compulsory education: principal of school required to furnish school record; contents. Adds §4a. 4§ '07 ch.585, 15 July
- k N. C. Compulsory education of children between 8 and 14; local option; counties excepted. 10§ '07 ch.894, 11 Mar.
- n N. C. Compulsory attendance of white deaf children at school for deaf, between 8 and 15 years old. 5§ '07 ch.1007, 11 Mar.
- p N. D. Amdg. R.C.'05 §894 rel. to compulsory education: exemptions. 1§ '07 ch.98, 14 Mar.
- q Or. Compulsory education. Rep. Ann. C. & S. §3423-25. 17§ '07 ch.79, 23 Feb.
- r Pa. Amdg. '01 ch.335 §1 rel. to compulsory education: not to apply to children 14 [13] to 16 who can read and write and are employed. 1§ '07 ch.237, 29 May
- s Pa. Amdg. '01 ch.335 §2, 3, 5 rel. to compulsory education: msdr. to employ child within provisions of act; attendance officer may arrest child insubordinate in school and may have entry to places of employment. 3§ '07 ch.241, 29 May

2270

- t S. D.** Compulsory education for deaf and blind. 5§  
'07 ch.137, 4 Mar.
- u S. D.** Compulsory education for Indian children. 9§  
'07 ch.136, 8 Mar.
- v Vt.** Child under 16 [15] not to be employed without *elementary certificate* [certificate of 26 weeks attendance in current year]; *nor after 8 p. m.*; duties of truant officers. Amds. S. §712, 715, 716, 718:  
'04 ch.155 §1. 5§ '06 ch.52, 19 Dec.
- w Wash.** Compulsory education of children. 14§  
'07 ch.231, 16 Mar.
- x Wis.** Amdg. S.'98 §926 subdiv.11 §3: special charter city may issue bonds to erect parental school. 1§ '07 ch.114, 20 May
- y Wis.** Amdg. S.'98 §439a-b rel. to compulsory attendance at school. Adds §439c, b-d. 5§ '07 ch.446, 28 June
- z Wy.** Compulsory education: required of children from 7 to 14 for 6 months in year. Rep. R.S.'99 §554-55. 4§ '07 ch.93, 21 Feb.

2271

### Holidays

*See also 1596, Public holidays*

- a N. H.** Election day not school holiday. 1§ '07 ch.7, 20 Feb.
- b Wash.** Amdg. '97 ch.118 §56 rel. to days on which teacher can not be required to teach: Labor day, day after Thanksgiving, and Memorial day included. 1§ '07 ch.59, 4 Mar.
- c Wis.** Amdg. '98 §459: primary election day not school holiday; teacher to be paid while attending meeting of teachers association. 1§  
'07 ch.92, 10 May

### 2272 Place of attendance. Conveyance of pupils. Consolidation of schools

*See also 2227, Districts*

- a Ct.** Town may provide for conveyance of high school pupils. 1§  
'07 ch.36, 17 Apr.
- b Id.** Amdg. '99 p.85 §5, 66 rel. to altering school districts and attendance of children outside of district. 3§ '07 p.16, 15 Feb.
- c Ind.** Schools of 12 pupils to be discontinued; of 15 pupils may be discontinued; provision for education in neighboring schools; transportation. 3§ '07 ch.233, 11 Mar.
- d Kan.** Amdg. '05 ch.386 §2 rel. to children attending school in district other than that in which they live: tuition not to exceed \$4 [\$10] per month [and a total of not more than \$45]. 2§  
'07 ch.321, 7 Mar.
- e Kan.** Amdg. G.S.'01 §6149 rel. to allowance to parents for conveyance of children to and from school: school bd. may make such allowance for children living more than 2 and less than 3 miles from school. 2§ '07 ch.327, 8 Mar.
- f Me.** Amdg. R.S.'03 ch.15 §2 rel. to location of public schools. 1§  
'07 ch.90, 20 Mar.

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- g Mo.** Amdg. R.S.'99 §9741: where children in school district number under 25, arrangements may be made for instruction in neighboring districts. 1§ '07 p.424, 19 Mar.
- h Mo.** Amdg. R.S.'99 §9764: nonresident orphan *or child with one parent* not to be charged tuition in public school. 1§ '07 p.425, 20 Mar.
- i N. J.** Amdg. '03 (ex. sess.) ch.1 §182: district bds. to report cost of transportation of pupils to another district; county supt. to apportion 75% thereof to district. 1§ '07 ch.122, 7 May
- j Pa.** Children residing 1½ miles from school in district may attend more convenient school; district of residence to pay tuition. 2§ '07 ch.121, 2 May
- k Pa.** Amdg. '05 ch.23 rel. to nonresident pupils in high schools: must attend nearest school; method of paying tuition and for textbooks. 1§ '07 ch.163, 23 May
- n Tex.** Transfer of school children to more convenient adjacent district. Adds '05 ch.124 §91a. 1§ '07 ch.130, 18 Apr.
- p Vt.** Comrs. in unorganized towns and gores may draw on county treasurer for tuition, transportation and bd. of children; not to exceed \$1.50 per week for each. 2§ '06 ch.59, 21 Nov.
- q Wis.** State aid for district furnishing transportation for pupils. Adds S.'98 §430 subdiv.1-8. 8§ '07 ch.496, 9 July
- r Wis.** State aid for rural district providing transportation and tuition for pupils in graded school in free high school district; conditions. Adds S.'98 §496q-t. 4§ '07 ch.553, 10 July

2273

### School age

- a Wis.** Referring to next Legis. amdt. to Const. 1848 art.10 §3: district schools free to children aged 6 [4] to 20. 1§ '07 p.1288

2274

### School census

- a Ala.** District trustees and school bds. to take census of children of school age in July 1908 and every two years thereafter; compensation of enumerators; penalty for false enumeration. 3§ '07 p.754, 14 Aug.
- aa Cal.** Defining school census children: all between 5 and 17, including those of Indians paying taxes and not living in tribal relation. Adds §1641 to P.C. 1§ '07 ch.85, 5 Mar.
- b Ct.** Amdg. G.S.'02 §2167, 2252, 2255 rel. to enumeration of children of school age: to contain place of attending school in Oct. and if not in attendance reason, and names of employers if any. 3§ '07 ch.31, 11 Apr.
- c Mon.** County supt. of schools to transmit school census to Comr. of Bureau of Agric., Labor and Industry. Adds P.C. §1745. 1§ '07 ch.17, 18 Feb.
- d Mon.** Amdg. P.C. §1830 ¶3: school census to show *name* [number], sex, *age and date of birth* of children. 2§ '07 ch.97, 5 Mar.
- e N. J.** School district bds. may take school census every 5 years. 1§ '07 ch.118, 7 May
- f N. D.** Amdg. R.C.'05 §835 rel. to school census. 2§ '07 ch.97, 13 Mar.

2275

**School year, month, day**

- a **Cal.** Amdg. P.C. §1697: school month to be 20 days *including holidays*. 1§ '07 ch.18, 19 Feb.
- b **Cal.** Amdg. P.C. §1581: school in new district must be opened 2d Mon. of Sept. [in year] following. 1§ '07 ch.43, 28 Feb.
- c **Mo.** Amdg. R.S.'99 §9751: school year of 8 [6] months required. 1§ '07 p.433, 18 Feb.
- d **Mon.** Amdg. P.C. §1940a-b: common school levy 4 [2] mills; special levy not to exceed 10 [5] mills; *in 1st and 2d class districts special levy to maintain school for 9 months*. 3§ '07 ch.51, 27 Feb.
- e **Wis.** Amdg. S.'98 §558: school must be taught 8 [7] months to entitle district to state aid. 1§ '07 ch.108, 16 May

2277

**Students. Discipline**

- a **Ind.** Prohibiting secret societies in schools. 1§ '07 ch.278, 12 Mar.
- b **Kan.** Unlawful for pupil in high school to belong to fraternity or secret organization. 2§ '07 ch.320, 9 Mar.
- c **Kan.** Principal of county high school may suspend refractory pupils temporarily. Amds. G.S.'01 §6444. 3§ '07 ch.335, 9 Mar.
- d **Minn.** Prohibiting secret fraternities and societies in public schools; penalties. 5§ '07 ch.149, 11 Apr.

2281

**Physical condition. Medical inspection**

- a **Ct.** Local bds. may appoint school physicians and nurses; examination of children and exclusion from school when diseased. 7§ '07 ch.207, 11 July
- b **Mass.** Appointment of nurses for public schools of Boston; qualifications; examination. 3§ '07 ch.357, 3 May
- c **N. C.** Authorities of public and private schools may condemn land for water supply; procedure. 3§ '07 ch.671, 6 Mar.

2282

**Textbooks. Supplies**

*See also 2360, School libraries*

- a **Cal.** Amdg. P.C. §1874 rel. to duties of textbook committee. 1§ '07 ch.515, 23 Mar.
- b **Ind.** Contracts by State Bd. of Education for furnishing school books to provide for delivery and retail of same in all school corporations; school officers not to deal in books; exception. 2§ '07 ch.99, 2 Mar.
- c **Ind.** County school supt. to designate dealer to handle textbooks contracted for by State Bd. of School Book Comrs.; terms of discount, payment and delivery. 4§ '07 ch.273, 12 Mar.
- d **Kan.** Amdg. G.S.'01 §6457 rel. to School Text Book Comm.: not more than 5 [3] of 8 members to be of 1 political party. 2§ '07 ch.328, 9 Mar.

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2282

- e **Mo.** Creating county textbook comns.; publishers to file books with State Supt. from which books for schools must be taken. 21§  
'07 p.434, 19 Mar.
- f **Mon.** Creating State Textbook Comn.: 5 members appointed by Gov. for 5 years; to adopt uniform textbooks for public schools. 15§  
'07 ch.132, 7 Mar.
- g **Or.** Amds. Ann. C.& S. §3449 rel. to time of meetings of Bd. of Textbook Comrs. 1§  
'07 ch.13, 8 Feb.
- h **S. C.** Amdg. C.C. §1239 rel. to depositories to provide textbooks at cost. 1§  
'07 ch.227, 13 Feb.
- i **Tex.** Gov., Supt. of Public Instruction and 5 appointees of Gov. to constitute Textbook Bd. to adopt uniform system of textbooks in certain subjects; bids; contracts; depositories for sale of books. 13§  
'07 (ex. sess.) ch.9, 14 May
- j **Wis.** Amdg. S.'98 §436: school bds. may buy school equipment on approval of State Supt. or county supt. worth not to exceed \$100 [\$75] *from funds not otherwise appropriated.* 2§ '07 ch.39, 10 Apr.

2283

### Free textbooks

- a **Cal.** Institutions for orphans and abandoned children to be furnished series of textbooks published by state; \$10,000 annually. Adds §9 to '80 ch.19. 1§  
'07 ch.472, 22 Mar.
- b **Ct.** Amdg. G.S.'02 §2135 rel. to election in town for free textbooks in schools. 1§  
'07 ch.40, 17 Apr.

2284

### Uniformity

- a **Ala.** Creating textbook comn. composed of 9 educators, 1 from each congressional district, appointed by Gov.; Gov. and Supt. of Education to adopt uniform series of textbooks; branches of study; manner and terms of contract. 22§  
'07 p.762, 13 Aug.
- b **Cal.** Submitting amdt. to Const. 1879 art.9 §7: composition of State Bd. of Education; uniform textbooks. 1§. Vote Nov. 1908.  
'07 p.1369, 14 Mar.
- c **Id.** Creating State Bd. of Textbook Comrs. to consist of Supt. of Public Instruction and 6 appointees of State Bd. of Education; term 6 years; to receive bids for supplying uniform textbooks in certain subjects at fixed prices. 14§  
'07 p.476, 14 Mar.
- d **Nev.** Creating State Textbook Comn.: to consist of State Bd. of Education and 4 principals or supts. of schools appointed by Gov.; latter *ex officio*; to secure uniformity of textbooks; contracts for furnishing; depositories. 15§  
'07 ch.112, 22 Mar.
- e **Tenn.** Amdg. '99 ch.205 §8 rel. to uniform textbooks for public schools: agent of depository to be resident of county and to sell only within state. 1§  
'07 ch.67, 12 Feb.
- f **Wis.** County uniformity in school textbooks. Adds S.'98 §553m subdiv. 1-25. 25§  
'07 ch.561, 10 July

2288

### Curriculum

- a **Cal.** Amdg. P.C. §1665 rel. to required courses in elementary schools: nature study with *special reference to agric.; manual training and domestic science when teachers and funds available.* 1§  
'07 ch.52, 1 Mar.
- b **Cal.** Grammar grade post graduate course in grammar schools. Adds §1779 to P.C. 1§  
'07 ch.67, 1 Mar.
- c **U.** Study of sanitation and cause and prevention of disease in schools, beginning with 8th grade; State Bd. of Education and State Bd. of Health to prepare course. 1§  
'07 ch.96, 14 Mar.
- d **Vt.** Town directors may provide for instruction in music, *physical culture, drawing and industrial arts and sciences.* Amds. S. §686. 1§  
'06 ch.49, 23 Nov.
- e **Wis.** Amdg. S.'98 §447 rel. to teaching foreign languages in public school. 2§  
'07 ch.200, 12 June

### Agriculture, see 2343

2294

### Civics

- a **Del.** Requiring teaching of state Const. in public schools. 1§  
'07 ch.124, 9 Apr.
- b **N. C.** Amdg. Revisal '05 §4087 rel. to studies required in public schools: courses in civics and Consts. of N. C. & U. S. combined. 1§  
'07 ch.641, 6 Mar.

### Military drills, see 2348(5)

2306

### Patriotic exercises

- a **Kan.** U. S. flag to be displayed at public schools; flag exercises daily and observance of holidays. 4§  
'07 ch.319, 6 Mar.

2308

### Physical culture

- a **Mass.** "An act to enlarge the powers of the School Committee of the City of Boston in respect to physical education." 3§  
'07 ch.295, 13 Apr.

2310

### Physiology. Alcohol. Narcotics

- a **N. C.** Requiring instruction in public schools on effect of alcohol and narcotics; courses. 4§  
'07 ch.957, 11 Mar.

### Trades and manual training, see 2350

2316

### Special kinds of schools

See also 2184, Deaf and dumb; 2188, Blind; 2266, Normal schools; 2342, Professional and technical education

2321

### Kindergarten

- a **Kan.** School bd of any district may establish free kindergartens. 1§  
'07 ch.325, 1 Mar.
- b **Tex.** School district may establish free kindergartens; qualifications of kindergarten teachers. 2§  
'07 ch.149, 20 Apr.



## EDUCATION

2323

### Lectures. University extension

- a **Wis.** Amdg. '01 ch.336 §1, 2 rel. to lectures for adults under direction of school bd. of city. 2§ '07 ch.75, 3 May
- b **Wis.** Amdg. S.'98 §933: free library may employ lecturers; coöperation with University of Wis. and Free Library Comm. to encourage wider use of educational books. 1§ '07 ch.307, 21 June
- c **Wis.** Regents may carry on educational extension and correspondence teaching; \$20,000 annually. Adds S.'98 §1494j. 1§ '07 ch.413, 26 June

2327

### High schools and academies

- a **Cal.** Amdg. P.C. §1669: establishment of high school *districts with one or more schools*. 1§ '07 ch.14, 15 Feb.
- b **Cal.** Post graduate courses in high schools approximating 2 years of university work; optional with trustees. Adds §1681 to P.C. 1§ '07 ch.69, 1 Mar.
- c **Cal.** Elections to vote bond issue in aid of county high schools. Adds §1671a to P.C. 2§ '07 ch.197, 12 Mar.
- d **Cal.** Supervisors on petition of  $\frac{2}{3}$  of trustees may change name of high school; publication; hearing. 1§ '07 ch.516, 23 Mar.
- e **Cal.** Amdg. P.C. §1670 rel. to establishing and maintaining high schools. 1§ '07 ch.519, 23 Mar.
- f **Col.** County high school districts. Amds. '99 ch.100 §1, 2. 4§ '07 ch.219, 9 Apr.
- g **Id.** State Supt. of Public Instruction to prepare uniform examination for 8th grade requisite for admission to high school. 4§ '07 p.168, 12 Mar.
- h **Ill.** Annexation of school township not having high school to adjoining township for high school purposes. 6§ '07 p.534, 22 Apr.
- i **Ill.** Children in district in which no high school is maintained may attend high school in another district. 1§ '07 p.523, 25 May
- j **Ind.** High school course 4 years, succeeding 8 years in elementary schools; studies required in high schools. 2§ '07 ch.191, 9 Mar.
- k **Kan.** Amdg. G.S.'01 §6455: in county in which district high schools are supported by gen. county tax, under '05 ch.397, districts may not levy tax to pay tuition of resident pupils attending high school in adjoining district. 2§ '07 ch.336, 5 Mar.
- n **Kan.** Amdg. '03 ch.432 §3 rel. to compensation of county high school trustees: to be allowed by bd. of *county high school trustees* [county comrs.] and paid out of *high school fund* [county treasury]. 2§ '07 ch.334, 8 Mar.
- q **Kan.** Amdg. '05 ch.397 §6 rel. to county high schools: county comrs., on certification of county supt., to levy tax not exceeding 3 mills for maintenance. 2§ '07 ch.333, 9 Mar.
- r **Kan.** County having county high school may issue bonds for high school building. 5§ '07 ch.332, 12 Mar.

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- s Me.** Amdg. R.S.'03 ch.15 §63 rel. to payment of tuition of non-resident pupil in high school: to be part of high school fund of town to which paid. 1§ '07 ch.73, 20 Mar.
- t Mich.** Amdg. '01 ch.144 §4 rel. to powers of trustees of rural high school: may admit child of 6th [8th] grade; *may call special election for raising money.* 1§ '07 ch.126, 5 June
- u Minn.** City of 50,000 may issue \$800,000 of bonds for construction of high schools. 4§ '07 ch.20, 27 Feb.
- v Minn.** Amdg. R.L.'05 §1396 rel. to examinations by State High Schools Bd. 1§ '07 ch.341, 23 Apr.
- w Mon.** Generally amdg. '99 p.59 rel. to county free high schools. 22§ '07 ch.29, 25 Feb.
- x Neb.** Providing high school education for children living in districts where no high school exists, in high schools of other districts. 7§ '07 ch.121, 6 Mar.
- y Neb.** Establishment of county high schools; tax levy not more than 5 mills on \$1; bonds. 16§ '07 ch.122, 5 Apr.
- z Neb.** Normal training to be provided in designated high schools; state aid; \$50,000. 8§ '07 ch.129, 10 Apr.
- za Nev.** Amdg. C.L.'00 §1373-76 rel. to county high schools: location; purchase of grounds; building fund; bd. of education. 4§ '07 ch.86, 15 Mar.
- zb Or.** Designation by election of location of county high schools. 7§ '07 ch.80, 23 Feb.
- zc Or.** Establishment by election of union high school districts; maintenance; govt.; powers. 20§ '07 ch.101, 23 Feb.
- zd Pa.** Joint high schools for adjacent townships or school districts. 3§ '07 ch.239, 29 May
- ze S. C.** High schools: territorial units; established by vote; 2 mill levy; classification by length of courses; state aid; gifts; bonds; annual appropriation \$50,000; free tuition; separation of races. 10§ '07 ch.245, 19 Feb.
- zf Tenn.** County may pay tuition of rural pupils in city or private high schools. Adds '73 ch.25 §10. 1§ '07 ch.520, 15 Apr.
- zg U.** Amdg. R.S.'98 §1831 rel. to formation of high school districts: county district of 1st class to form high school district. 1§ '07 ch.51, 14 Mar.
- zh Vt.** Town supts. to examine nonresident applicants for tuition in high schools; questions furnished by supt. of education. 3§ '06 ch.51, 18 Dec.
- zi Wis.** Amdg. S.'98 §492 rel. to election of free high school district officers. 1§ '07 ch.438, 27 June
- zj Wy.** Amdg. '05 ch.67 §2, 9, 10, 13, 20 rel. to establishment and designation of high schools. 5§ '07 ch.57, 16 Feb.
- zk Wy.** Extension of high school districts. 4§ '07 ch.58, 16 Feb.

## EDUCATION

2328

### State aid

- a **Ala.** Gov., Auditor and Supt. of Education to constitute a comn. to locate a high school in each county; county to furnish site, building and equipment; state to supply \$2000 annually to each school for salaries; to take effect when Gov. decides that condition of treasury admits. 9§ '07 p.728, 7 Aug.
- aa **Ct.** Amdg. '03 ch.187 rel. to payment of tuition by state of non-resident high school pupils. 1§ '07 ch.90, 27 May
- b **Me.** Amdg. R.S.'03 ch.15 §81: academy having \$1600 income from investments not to receive state aid *unless maintaining training school for teachers and course in manual training, domestic science or agric.*; one with such income of \$1000 *to maintain 2 of such courses.* 1§ '07 ch.78, 20 Mar.
- c **Me.** Amdg. R.S.'03 ch.15 §79: no academy to receive state aid unless incorporated before *May 1, 1907* [Feb. 26, 1901]. 1§ '07 ch.91, 20 Mar.
- d **Me.** Amdg. R.S.'03 ch.15 §76, 80: academy to be entitled to state aid must have had average attendance of 30 for year *or 5 years* preceding. 2§ '07 ch.102, 22 Mar.
- e **N. C.** Authorizing establishment of county high schools under supervision of State Supt. of Public Instruction; state contribution toward support and tuition; \$50,000; licensed teachers only; East Carolina Teachers Training School established. 19§ '07 ch.820, 8 Mar.
- f **N. D.** Amdg. R.C.'05 §1034-36 rel. to state aid for high schools: inspection; apportionment; \$45,000 [\$25,000] per year available; 5 [3] schools in county preferred. 3§ '07 ch.99, 4 Mar.
- g **Vt.** State to pay proportion of tuition of high school pupils *not to exceed \$24 per annum for each pupil*; Supt. of Education to determine standard of high schools and qualifications for entering same, *except no one shall be debarred by reason of age.* Amds. '04 ch.37 §3, 5. 3§ '06 ch.50, 19 Dec.
- h **Wis.** Amdg. S.'98 §496 rel. to state aid for free high schools: must be maintained 8 [3] months in year; *money to be withheld if equipment insufficient or unsanitary.* 1§ '07 ch.527, 9 July
- i **Wis.** Amdg. S.'98 §491b rel. to state aid for joint free high schools: not to exceed \$50,000 [\$25,000] per year. 2§ '07 ch.571, 11 July

2329

### Academies

- a **Tenn.** Academy or small college no longer maintained may transfer property to county school authorities. 2§ '07 ch.600, 15 Apr.

2330

## Higher Education

- a **Wis.** Consolidation of colleges authorized. Adds S.'98 §1784m. 1§ '07 ch.68, 1 May

2332

### State institutions (general)

- a **Ark.** Joint legis. committee of 7 to examine administration of University of Ark.; report to respective houses. 1§ '07 p.1259, 12 Feb.
- b **Ark.** Amdg. S.'04 §4271 rel. to trustees of University of Ark. 2§ '07 ch.87, 12 Mar.

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- c **Kan.** Members of Bd. of Regents of State University, State Agric. College, and State Normal School to receive \$5 per day and expenses. Rep. '73 ch.135 §9 '07 ch.208, 5 Mar.
- d **Minn.** Amdg. R.L.'05 §1470: regent of University hereafter appointed not to hold other office. 1§ '07 ch.105, 5 Apr.
- e **Minn.** Regents may erect engineering building at cost of \$250,000. 1§ '07 ch.359, 23 Apr.
- f **Mon.** Appropriating \$60,000 for construction of library building at University of Mon. 5§ '07 p.534, 15 Mar.
- g **Neb.** Amdg. C.S.'05 §6150; meetings of Bd. of Regents of University, to be open to public; exception. 2§ '07 ch.148, 30 Mar.
- h **Nev.** Corporate name of state university to be University of Nev. 1§ '07 ch.208, 20 Mar.
- i **Or.** Amdg. Ann. C.& S. §3529: annual appropriation for University of Or. \$125,000 [\$47,500]. 1§. Referendum demanded, and law ratified by popular vote June 2, 1908. '07 ch.64, 20 Feb.
- j **Wis.** Amdg. '05 (ex. sess.) ch.14 §1; '05 ch.320 §2; S.'98 §385 rel. to University of Wis. Adds S.'98 §391m. '07 ch.428, 27 June

2333

## *Finance. Lands. Support*

*See also 774, Public lands; 2237, School finance*

- a **Fla.** Submitting amdt. to Const. 1885 art.12 by adding §16: 1 mill tax for certain institutions of learning. 1§. Vote Nov. 1908. '07 p.767, 3 June
- b **Id.** Amdg. '05 p.418 §2: scientific school fund appropriated *perpetually* [for 2 years] for maintenance of College of Arts at University of Id. 1§ '07 p.26, 19 Feb.
- c **Mich.** Amdg. C.L.'97 §1807.3/8 [1/4] mill tax for University of Mich. 1§ '07 ch.303, 28 June
- d **Neb.** State Treasurer to be treasurer of University of Neb. 2§ '07 ch.147, 27 Mar.
- e **Wash.** Creating State University permanent and current funds Rep. '90 p.395 §16, '93 ch.122 §11, '95 ch.63 §1. 3§ '07 ch.168, 14 Mar.

2334

## *Instruction. Students*

- a **Col.** Amdg. G.S.'83 §3449: regents of university not required to maintain normal and preparatory depts. 1§ '07 ch.229, 15 Apr.

2335

## *Admission. Scholarships. Tuition*

- a **S. C.** Amdg. '04 ch.290 rel. to scholarships in Clemson Agric. College: 165 [124]; apportionment; secret examinations. 5§ '07 ch.254, 19 Feb.
- b **U.** Amdg. R.S.'98 §2309 rel. to entrance and tuition fees in University of Utah. 1§ '07 ch.159, 25 Mar.
- c **Wis.** Amdg. S.'98 §388: no tuition at State University except [in law dept. and] for extra studies. 1§ '07 ch.105, 15 May

## EDUCATION

2337

### Private institutions

*See also* 583, Corporations not for profit; 812, Exemptions from general property tax

2338

### Trustees. Boards

- a **Ind.** Universities, colleges etc. may provide election of trustees partly church bodies, by graduates, and by bd. of trustees; may separate endowment and gen. funds. 3§ '07 ch.79, 27 Feb.

2342

### Professional and technical education

For examination and licensing, *see* 591, Practice of law; 944, Medicine; 948, Dentistry; 949, Pharmacy; 1588, Veterinary practice. *See also* 2266, Normal schools

- a **Ga.** Urging appropriations by Cong. for industrial and agric. education. '07 p.994, 22 Aug.
- b **Mich.** Bd. of supervisors may establish county schools of agric., manual training and domestic economy; referendum to incur debt. 9§ '07 ch.35, 3 Apr.
- c **Mich.** Establishing dept. of veterinary science at Mich. Agric. College. 2§ '07 ch.97, 22 May
- d **N. D.** Engineering building at Agric. College; \$65,000. 1§ '07 ch.21, 2 Mar.
- e **U.** Urging Cong. to make appropriations to aid introduction of study of agric. and mechanic and domestic arts in state schools. '07 p.275, 14 Mar.
- f **Wis.** Village may pay not to exceed 1/5 of cost of county schools of agric. and domestic economy. Adds S.'08 §553n-o. 2§ '07 ch.11, 16 Mar.
- g **Wis.** Amdg. '03 ch.288 §10: not more than 8 [2] schools of agric. and domestic economy. 1§ '07 ch.540, 10 July

2343

### Agricultural

*See also* 1828, Agricultural experiment stations; 1829, Farmers institutes, reading courses, lectures

- a **Ark.** Authorizing teaching of elementary agric. in public schools. 2§ '07 ch.455, 29 May
- b **Ct.** Amdg. G.S.'02 §4394: graduates of Ct. Agric. College of 2 years standing to elect 2 [1] graduate trustees of 10 [5] years standing for 4 [2] years. 1§ '07 ch.100, 29 May
- c **Mon.** Building at Mon. Agric. College for depts. of agric., horticulture, animal husbandry, veterinary and domestic science; \$80,000. 3§ '07 p.527, 15 Mar.
- d **N. C.** Agric. colleges may accept congressional appropriation. 1§ '07 ch.991, 11 Mar.
- e **N. D.** Building at Agric. College for experiments to determine milling values of grades of wheat; \$6000; \$500 annually. 2§ '07 ch.16, 2 Mar.
- f **S. D.** Changing name of Agric. College at Brookings to State College of Agric. and Mechanic Arts. 2§ '07 ch.12, 5 Mar.

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- g Tex.** Amdg. '05 ch.124 §100 rel. to subjects required in schools: elementary agric.; in district of 300 pupils only by order of school bd. 1§ '07 ch.169, 24 Apr.

2344

## Colleges

- a Col.** Transferring 10% of proceeds of land fund of State Agric. College to college fund to purchase experimental farms. 4§ '07 ch.221, 3 Apr.
- b Ill.** Extending and defining work of College of Agric. and Agric. Experiment Station; \$152,500. 8§ '07 p.11, 4 June
- c Kan.** Fees to be charged students in Agric. College: residents, \$3 per term; nonresidents, \$10 matriculation and \$10 per term. '07 ch.32, 7 Mar.
- d Kan.** Bd. of regents of State Agric. College may import seed wheat as agents for farmers of Kan. 7§ '07 ch.389, 9 Mar.
- e Or.** Amdg. Ann. C.&S. §3541: \$50,000 [\$25,000] annually for State Agric. College. 1§ '07 ch.233, 26 Feb.
- f U.** Instruction free to residents in Agric. College; entrance fee not to exceed \$10 to residents, \$25 to \$50 to nonresidents; fee for special studies. 1§ '07 ch.109, 14 Mar.

2345

## Commercial

- a Ari.** Bds. of school trustees may employ teachers of commercial subjects; graduates of commercial schools recognized by Territorial Bd. of Education to be licensed without examination. 2§ '07 ch.58, 21 Mar.

2347

## Forestry

- a Minn.** Making Itasca State Park forest reserve; may be used for demonstration work in forestry course of State University. 4§ '07 ch.90, 4 Apr.

2348

## Medicine and surgery. Degrees

*See also 1062, Dissection*

- a Ala.** Dissolving bd. of trustees of Medical College of Ala. and vesting control of same in bd. of trustees of University of Ala. 3§ '07 p.357, 6 Mar.

2348(5)

## Military

- a Mo.** Amdg. R.S.'99 §10562 rel. to appointment of cadets to Mo. State Military School. 1§ '07 p.450, 19 Mar.
- b Tenn.** Declaring certain educational institutions having course in military science, posts of National Guard; Gov. to commission officers. 3§ '07 ch.481, 15 Apr.

2349

## Mining

- a Wis.** Establishing Wis. Mining Trade School at Platteville; to instruct in science and practice of mining; \$30,000. Adds S.'98 §302m-t. 8§ '07 ch.573, 11 July

2350

## Technical and manual training

- a Ala.** Rel. to Ala. Girls Industrial School: free students; condemnation of land nearby; trustee not to be officer. Amds. '01 p.182 §12. 3§ '07 p.579, 6 Aug.

## LIBRARIES

2350

- b Ct. District by vote may establish trade school; under supervision of State Bd. of Education; state to pay  $\frac{1}{2}$  of maintenance of 2 schools designated by Bd. of Control. 4§ '07 ch.250, 30 July
- c N. J. Bd. of trustees of school for industrial education in cities of 2d class may erect building with consent of common council; cost not to exceed \$50,000; bond issue. 2§ '07 ch.222, 27 May
- d N. D. Amdg. R.C.'05 §1172: Industrial School and School for Manual Training to be known as State Normal and Industrial School; course in teaching manual training added. 1§ '07 ch.241, 23 Mar.
- e Wis. Establishment of trade schools in cities and school districts containing cities. Adds S.'98 §926 subdiv. 22-30. 9§ '07 ch.122, 22 May
- f Wis. City may establish technical school; referendum. Adds S.'98 §490m. 1§ '07 ch.344, 24 June
- g Wis. Amdg. S.'98 §496b-c rel. to manual training in high school and 3 upper grades of school below: state aid; districts maintaining high school may employ single teacher among them. 3§ '07 ch.503, 9 July

2351

### Textile

- a Mass. Comn. on Industrial Education to investigate textile schools and report with recommendations at next session. '07 r.64, 24 Apr.

2352

## Libraries

- a R. I. Amdg. G.L. ch.279 §52-53: penalty for injuring property of public or reference library \$20 [\$1 to \$10]; for neglect to return book or pay charges \$10. 3§ '07 ch.1463, 23 Apr.

2354

### State libraries

- a Cal. Amdg. P.C. §416 rel. to fees of Sec. of State: copy of decree dissolving corp. \$5; \$3500 [\$2500] of monthly receipts to be credited to State Library fund. 1§ '07 ch.281, 18 Mar.
- b Del. State Librarian may sell or exchange books not needed. 1§ '07 ch.113, 29 Mar.
- c Ia. Amdg. C. §2881, 2881f: salary of State Librarian \$2400 [\$2000], of assistant \$1800 [\$1200]. 5§ '07 ch.156, 10 Apr.
- d Kan. Amdg. '05 ch.488 §22: additional assistants for State Librarian; salaries. 2§ '07 ch.207, 9 Mar.
- e Mich. Salary of State Librarian \$1800. 1§ '07 ch.300, 27 June
- f Mo. Amdg. R.S.'99 §10055: salary of State Librarian \$1500 [\$1200]. 1§ '07 p.355, 8 Mar.
- g Mon. Amdg. P.C. §2391, 2401 rel. to salaries of assistants in State Library. Rep. §2396. 3§ '07 ch.77, 4 Mar.
- h N. J. Salary of State Librarian \$3000. 1§ '07 ch.239, 11 June
- i N. Y. Amdg. university law '92 ch.378 §17: State Library to be kept open every week day except Independence, Thanksgiving and Christmas days. 1§ '07 ch.184, 22 Apr.
- j N. C. Salary of State Librarian \$1500 [\$1000]; of assistant \$600 [\$300]; may appoint janitor at \$25 per month. Amds. Revisal '05 §2748. 3§ '07 ch.647, 6 Mar.

2354

- k Or.** Amdg. '05 ch.44 §4-6 rel. to Library Comm.: salary of sec.; expenses; annual appropriation. 3§ '07 ch.12, 7 Feb.
- n R. I.** Salary of State Librarian \$1600. 2§ '07 ch.1433, 16 Apr.
- p Vt.** Amdg. S. §5326: salary of first assistant state librarian \$1500 [\$1000]. 1§ '06 ch.204, 10 Dec.
- q Vt.** Gov. to appoint Comr. of Public Printing to advertise bids and let contracts for all public printing and stationery; and creating division of public documents in State Library to distribute publications; how distributed. Rep. S. §5423-53, '04 ch.50. 32§ '06 ch.214, 19 Dec.
- r Wis.** Amdg. S.'98 §170, 368, 372, 2400 rel. to State Library: compensation and term of librarian *at pleasure of trustees* [\$2000; 2 years]; assistants; *catalog; exchange of books*. Rep. '01 ch.209. 4§ '07 ch.466, 1 July
- s Wy.** Amdg. R.S.'99 §469: salary of State Librarian \$1300 [\$1200]. 1§ '07 ch.56, 16 Feb.

2355

### Public documents

*See also 70. Distribution of public documents*

- a Cal.** Supt. of State Printing to furnish State Library with 50 copies of state publications for exchange with other jurisdictions; as many copies as required of day to day publications during session of Legis. Adds \$2295a to P.C. 2§ '07 ch.488, 22 Mar.
- b Mo.** State Library created medium of exchange of official publications with other states; to be supplied with sufficient number of copies. Adds R.S.'99 §10072a. 1§ '07 p.355, 22 Mar.
- c Mon.** Amdg. P.C. §313 rel. to number of public reports to be delivered to State Library. 2§ '07 ch.12, 13 Feb.
- d Neb.** Amdg. C.S.'05 §4161-68 rel. to distribution of session laws and journals; distribution by county clerk; by librarian of State Historical Society; by State Librarian; sale at cost. 10§ '07 ch.78, 6 Apr.
- e N. H.** Amdg. P.S. ch.8 §8: money received from sale of surplus state publications by State Library to be paid into treasury to be additional appropriation for such library. 2§ '07 ch.96, 28 Mar.

2356

### Free public libraries

- a Minn.** Public library bd. of city of 50,000 may contract with neighboring county or village for use of libraries and museums of city. 2§ '07 ch.289, 22 Apr.
- b Nev.** Amdg. '01 ch.27 §1 rel. to free public library in city, unincorporated town or school district in county [of 7000]: tax. 1§ '07 ch.76, 14 Mar.
- c N. Y.** Amdg. university law '92 ch.378 §36, 45 rel. to gifts to and transfers of libraries. 2§ '07 ch.606, 18 July
- d Wis.** Maintenance of public library in city of 150,000. 2§ '07 ch.50, 19 Apr.
- e Wy.** Amdg. R.S.'99 §1019-24; '01 ch.72 rel. to county libraries. 6§ '07 ch.45, 16 Feb.



## LIBRARIES

2357

### State aid and supervision. Traveling libraries

- a **Ala.** Dept. of Archives and History to encourage establishment of public and school libraries; to give advice on library administration; to conduct traveling libraries; to arrange reference collection for use of members of Legis., state officers etc. 2§ '07 p.318, 5 Mar.
- b **Kan.** Aplington art gallery (of carbon photographs of famous paintings) to be part of Kan. Traveling Libraries. 2§ '07 ch.385, 21 Feb.
- c **Mich.** State Librarian may distribute free in districts where needed worn out books in traveling libraries. 1§ '07 ch.177, 18 June
- d **Mo.** Creating Mo. Library Comm. to consist of Supt. of Schools, President of State University and 3 appointed by Gov. for 6 years; to advise local libraries, receive gifts, operate traveling libraries, and establish library courses in normal schools; annual report. 7§ '07 p.353, 20 Mar.
- e **N. D.** President of N. D. Library Association, Supt. of Public Instruction, and person appointed by Gov. and Senate for 2 years to constitute State Library Comm.; traveling libraries; assistance to free public libraries; to establish legis. reference bureau. 10§ '07 ch.243, 2 Mar.
- f **R. I.** State Bd. of Education may establish traveling libraries. 2§ '07 ch.1451, 19 Apr.
- g **Wash.** Placing state traveling library under supt. appointed by State Library Comm. and relieving State Librarian of duties rel. thereto. 2§ '07 ch.164, 13 Mar.
- h **Wis.** Free Library Comm. may purchase supplies not kept in stock by Supt. of Public Property. 1§ '07 ch.203, 12 June

2358

### Establishment. Support. Government

- a **Ill.** Amdg. '05 p.309 §8, 9, 9½ rel. to library employees pension fund. 3§ '07 p.373, 3 June
- b **Ia.** Rep. '06 ch.14 §2, amdg. §3 rel. to power of township trustees to contract for use of public library in town or city. 1§ '07 ch.16, 28 Mar.
- c **Mich.** Amdg. C.L.'97 §3458 rel. to time limit for preparing estimate for support of township free public library. 1§ '07 ch.42, 11 Apr.
- d **Nev.** Amdg. C.L.'00 §1529: money in library fund in excess of \$5000 to be transferred annually to gen. and school funds. 1§ '07 ch.176, 29 Mar.
- e **Pa.** School districts of townships and boroughs adjoining cities of 3d class may join in support of public library. 3§ '07 ch.115, 1 May
- f **Pa.** Establishment of free public libraries in municipalities except cities, townships and counties, by same authority conferred on boroughs; 1 mill levy. 3§ '07 ch.290, 6 June

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- g S. D. Amdg. P.C. §1527: municipalities of over 500 authorized to levy  $1\frac{1}{2}$  [1] mills for free library. 1§ '07 ch.184, 25 Feb.
- h U. Amdg. R.S.'98 §1360 rel. to levy for public libraries in cities of 1st and 2d class. 1§ '07 ch.18, 5 Mar.
- i Wash. Amdg. Ballinger's Ann. C.& S.'97 §981, 984: establishment of public libraries authorized in cities [over 5000]; asmt. 2§ '07 ch.82, 7 Mar.
- j Wis. Amdg. S.'98 §933 rel. to powers of public library bds. 1§ '07 ch.76, 3 May

2359

## Law libraries

- a Cal. Amdg. '91 ch.225 §1: plaintiff or appellant *and defendant or respondent* in county Superior Court to pay \$1 to county law library fund. 1§ '07 ch.65, 1 Mar.
- b Col. Creating fund for use of Supreme Court Library. 1§ '07 ch.231, 9 Mar.
- c Me. Amdg. R.S.'03 ch.12 §10: counties to pay \$500 annually to county law libraries. 1§ '07 ch.40, 6 Mar.
- d Minn. Authorizing installation of law library in courthouse of county of over 100,000. 1§ '07 ch.77, 28 Mar.
- e R. I. Presiding Superior Court judge may purchase law books for county courthouses; \$1200. '07 r.52, 9 Apr.
- f R. I. Salary of State Law Librarian \$1600. 2§ '07 ch.1431, 12 Apr
- g S. D. Supreme Court Library to consist of legal publications owned by state and under control of judges of such court; latter to make rules therefor. 3§ '07 ch.183, 25 Feb.
- h Wash. Assistant State Librarian in charge of law dept. to be known as State Law Librarian; to hold office at pleasure of Supreme Court; salary \$1800. 1§ '07 ch.32, 21 Feb.

2360

## School libraries

- a Cal. Amdg. P.C. §1715-16 rel. to school libraries: free to pupils and residents of districts; open nonschool days where practicable. 2§ '07 ch.6, 15 Feb.
- b Neb. School bd. or trustees in each district to set aside 10c per pupil to establish library; exception. 3§ '07 ch.132, 2 Mar.
- c U. Amdg. R.S.'98 §1815:  $\frac{1}{2}$  mill of school levy in district to be used for public school library; to be expended under direction of State Bd. of Education. 1§ '07 ch.102, 14 Mar.

2363

## History. Records. Memorials

- a Ari. Bd. of Curators of Territorial Library to purchase matter rel. to history of territory as they deem expedient. '07 p.302, 18 Mar.
- b Ark. Continuing Ark. History Comn.; report to Gov. 1909; \$1600. 3§ '07 ch.430, 28 May
- c Ia. Free public libraries may unite with county historical association for preservation of articles of historic or educational nature. 1§ '07 ch.33, 27 Mar.

2363

- d **Me.** Gov. and Council to appoint State Historian to compile historical data of state and encourage publishing local histories and geographies and teaching of same in schools; town publishing and using in schools such work to receive not more than \$150. 5§  
'07 ch.88, 20 Mar.
- e **N. H.** Town and city clerks to send annual report of town or city and institutions of learning to send catalogues to N. H. Genealogical Society. 2§  
'07 ch.41, 6 Mar.
- f **N. H.** Compilation and annotation of charters, commissions to royal govts. and state Consts. of N. H. in coöperation with federal govt.; \$200. 1§  
'07 ch.167, 5 Apr.
- g **N. C.** Term of State Historical Comrs. 6 years; comn. to collect data and edit and publish same; to mark places of historic interest; public documents may be turned over to for preservation; \$5000. Amds. Revisal '05 ch.96. 6§  
'07 ch.714, 8 Mar.
- h **Pa.** Purchase of 400 copies of histories published by organizations of Pa. volunteers; \$8000; distribution. 3§  
'07 ch.371, 13 June
- i **U.** Msdr. to remove from land of another relic of ancient races or to efface hieroglyphics. 1§  
'07 ch.31, 11 Mar.

2364

### Anniversary celebrations

- a **Ala.** Creating comn. to consist of Gov., Director of Dept. of Archives and History and 5 appointees of Gov. to prepare plans for celebration of one hundredth anniversary of battle of Tohopeka, Mar. 27, 1914; report to next Legis. 3§  
'07 p.547, 6 Aug.
- b **N. Y.** Comn. to consist of Gov., 2 appointees of Gov., Lieut. Gov., Speaker of Assembly, 2 senators, 2 assemblymen to confer with comrs. of Vt. and Canada rel. to observance of tercentenary of discovery of Lake Champlain July 4, 1609; report 1908. 1§  
'07 p.2511, 5 June
- c **Vt.** Comn. to arrange observance of tercentennial of discovery of Lake Champlain; to confer with N. Y. and Canada.  
'06 ch.459, 15 Nov.

2365

### Archives. Records. Colonial laws

- a **Ala.** Authorizing Director of Dept. of Archives and History to have published certain state papers, official records and historical materials. 1§  
'07 p.560, 6 Aug.
- aa **Ill.** Counties, cities, towns and villages may make appropriations for publication of documents, marking historic sites, etc.; printing and sale of papers and documents. 2§  
'07 p.374, 20 May
- b **Ill.** Amdg. '97 p.205: county and mun. authorities may transfer official documents to *State Historical Society*, State Historical Library, State University or any incorporated historical society; duty of officers to permit search for papers of historic interest; local authorities may make appropriations. 3§  
'07 p.374, 20 May
- c **Ia.** Amdg. '06 ch.142 §2, 3, 5: Executive Council to classify archives turned over to State Library by depts. 3§  
'07 ch.157, 13 Apr.

2365

- d **Me.** Purchase of 1000 copies of annual volume of historical documents of state published by Me. Historical Society; \$4000. '07 r.63, 26 Feb.
- e **Me.** Persons having records of original proprietors of town or plantation may deliver same to Me. Historical Society for preservation; to be reimbursed for expenses. 2§ '07 ch.108, 22 Mar.
- f **Mich.** Publication of collections of Mich. Pioneer and Historical Society; \$8000. 6§ '07 ch.62, 25 Apr.
- g **N. J.** Proceedings of annual encampments of G. A. R. of N. J. to be part of military archives; \$300 annually for printing and distribution. 2§ '07 ch.76, 15 Apr.
- h **N. Y.** Amdg. '81 ch.120 §1 rel. to transferring certain records of Sec. of State to State Library: returns and tabulated statements of elections from 1838 to 1905 included. 1§ '07 ch.274, 2 May
- i **Pa.** State Librarian to have edited series of archives, not to exceed 15 volumes; editor's compensation \$500 per volume; 2000 copies; distribution. 3§ '07 ch.28, 22 Mar.
- j **Pa.** Amdg. '03 ch.135 §6 rel. to Advisory Comn. of Public Records: 7 [5] members. 1§ '07 ch.316, 8 June
- k **Pa.** State Librarian may make facsimiles of ancient documents; \$1500. 1§ '07 ch.466, 13 June
- n **Tenn.** Joint legis. committee of 5 to investigate condition of records and archives of state. '07 p.2189, 30 Jan.
- p **Wis.** State official may place records in custody of State Historical Society. 2§ '07 ch.88, 8 May

2366

#### Historical societies

- a **Id.** Creating Historical Society of State of Id. under bd. of 3 trustees appointed by Gov.; acquisition of property of Historical Society of Id. Pioneers; librarian; duties; \$3500. 12§ '07 p.265, 12 Mar.
- b **Kan.** State Historical Society to furnish transcripts when county records are destroyed or lost. 2§ '07 ch.168, 15 Feb.
- c **Kan.** Amdg. '05 ch.488 §10: salary of sec. of State Historical Society \$2000 [\$1800]; assistants. 2§ '07 ch.403, 5 Mar.
- d **Mich.** Amdg. C.L.'07 §8195-96 rel. to historical and geographical societies: local associations to transmit copy of transactions to sec. of State Association; on dissolution State Librarian to be custodian of collections. 2§ '07 ch.31, 3 Apr.
- e **Neb.** Construction of basement story of building for State Historical Society and Legis. Reference Dept.; \$25,000. Rep. '85 ch.121 §1, 2. 7§ '07 ch.146, 10 Apr.
- f **Nev.** Recognizing Nev. Historical Society as state institution; biennial report to Gov.; publication of reports; entitled to state publications. 4§ '07 ch.96, 20 Mar.
- g **N. D.** Annual appropriation \$750 for field officer and \$500 for curator of museum of State Historical Society. 1§ '07 ch.133, 4 Mar.
- h **N. D.** Amdg. R.C.'05 §241 rel. to publication of reports of State Historical Society: separates, not to exceed 50 of each. 1§ '07 ch.130, 14 Mar.

## HISTORY AND MEMORIALS

2366

- i **N. D.** Amdg. R.C.'05 §242: annual appropriation \$2000 [\$1250] for State Historical Society. 1§ '07 ch.132, 19 Mar.
- j **Pa.** State Librarian may assist Pa. Federation of Historical Societies in collection of bibliography of commonwealth; \$2000. 2§ '07 ch.372, 13 June
- k **Wis.** Amdg. S.'98 §376 rel. to annual appropriations for State Historical Society: for maintenance of State Historical Library building \$20,000 [\$15,000]; for books etc. for reference library \$5000. 1§ '07 ch.533, 10 July
- n **Wis.** Register of deeds to file records of G. A. R. and of historical societies. Adds S.'98 §758. 1§ '07 ch.650, 15 July

2367

### Museums. Libraries

- a **Mo.** City of 400,000 may establish museum; referendum. 9§ '07 p.94, 7 Mar.

2368

### Old Home week

- a **Mass.** Towns may appropriate money for observance of Old Home week or day. 1§ '07 ch.311, 18 Apr.
- b **R. I.** Any calendar week in July, Aug., or Sept. may be set apart as Old Home Week; town and cities may appropriate money for observance. 2§ '07 ch.1469, 23 Apr.

2369

### Scenic and historic places

*See also 798, State parks; 2370, Memorials*

- a **Col.** Appropriating \$2000 for surveying and marking Santa Fé trail. 4§ '07 ch.70, 17 Apr.
- b **Ind.** Erection of monument and rebuilding of old Indian chapel at Menominee; Gov. to appoint 3 trustees; \$2500. 3§ '07 ch.280, 12 Mar.
- c **Mass.** Commonwealth and city to restore and preserve Old Provincial State House in Boston; \$7500 on condition city appropriate like amount. 4§ '07 ch.385, 6 May
- d **Minn.** Comm. of 3 to survey and mark off battlefield of Wood Lake and purchase at least 1 acre thereof; report to Gov.; \$500. 3§ '07 ch.336, 23 Apr.
- e **Mon.** Appropriating \$800 for restoration of Old Fort Benton; to be under supervision of bd. of 3 trustees appointed by Gov. 6§ '07 p.563, 7 Mar.
- f **N. M.** Gov. to convey to U. S. Palace Building in Santa Fé on condition that use thereof be given to Archaeological Institute of America for School of American Archaeology. '07 p.302, 18 Mar.
- g **N. M.** Amdg. '05 ch.7 §10 rel. to selecting plans for stone arch in Santa Fé to mark principal point on Santa Fé trail. 2§ '07 ch.54, 20 Mar.
- h **N. Y.** Accepting gift of William Pryor Letchworth of 1000 acres of land in Wyoming and Livingston counties; donor to have life tenancy, thereafter to be under control of American Scenic and Historic Preservation Society. 1§ '07 ch.1, 24 Jan.
- i **N. D.** Reserving lands for preservation of Fort Clark and Mandan Indian village sites; State Historical Society to supervise. 1§ '07 ch.131, 7 Mar.

2369

- j Or. Amdg. Ann. C. & S. § 5022; except water at Multnomah Falls from provision allowing diversion of streams for developing mineral resources and generating electricity. 1§ '07 ch.145, 25 Feb.
- k Pa. Exempting from power of eminent domain lands and buildings of historic interest as connected with colonial or revolutionary period. 2§ '07 ch.156, 10 May
- n Pa. Amdg. '93 ch.130 §4 rel. to Valley Forge Park: comrs. may allow railroad to be constructed underground. 1§ '07 ch.217, 28 May
- p Tex. Creating San Jacinto State Park Comrs.: appointed by Gov., term 2 years; to enlarge, beautify and preserve such park; \$25,000. 10§ '07 ch.48, 28 Mar.
- q Vt. Authorizing conveyance of lands near Bennington Battle Monument to state. 3§ '06 ch.233, 10 Dec.
- r Wis. State Park Comm. to investigate and report to Gov. advisability and cost of establishing state park at site of territorial capitol. 3§ '07 ch.558, 10 July

2370

### Memorials. Monuments

- a Ct. Comm. of Sculpture may execute trust for erecting or maintaining memorial on public ground. 2§ '07 ch.226, 27 July
- b Me. Appropriating \$3000 for erection of memorial tower on and preservation of remains of Fort William Henry. '07 r.169, 26 Mar.
- c Me. Me. Historical Society to erect memorial tablet at Fort Popham; \$200. '07 r.215, 28 Mar.
- d Vt. Appropriating \$150 to place tablet commemorative of deeds of soldiers and sailors of Vt. of War of 1812 in State House. 2§ '06 ch.237, 12 Dec.
- e W. Va. County Court may mark by monuments sites of frontier forts occupied by early settlers and graves of Revolutionary soldiers. 1§ '07 ch.50, 14 Feb.

2372

### Grave markers

- a Mich. Municipality or township to furnish metal marker for grave of honorably discharged soldier or sailor of U. S. 2§ '07 ch.136, 12 June

2374

### Memorial buildings

- a Pa. Authorizing erection of memorial halls to veterans of wars of U. S. by counties of 150,000; petition of 50 citizens; referendum; use of building. 8§ '07 ch.114, 1 May
- b Pa. Amdg. '95 ch.69 rel. to soldiers and sailors monuments and memorial halls: latter may be erected by counties of over 50,000 [500,000 to 1,000,000]. 1§ '07 ch.312, 7 June

2376

### Memorials on battlefields. Soldiers monuments

- a Ala. Creating Ala. Monument Comm. to consist of Gov., commanders state divisions of Confederate Veterans and Sons of Confederate Veterans, Director of Dept. of Archives and History and 8 Confederate veterans appointed by Gov.; to act on matters and inquiries rel. to location of Ala. Confederates in connection with marking battlefields and to have charge of erecting monuments to Ala. troops. 4§ '07 p.549, 6 Aug.

## HISTORY AND MEMORIALS

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- aa Ala. Erection of soldiers monuments by Monument Comn., with approval of Gov.; \$25,000 per annum. 3§ '07 p.753, 16 Aug.
- ab Ct. Appropriating \$8000 toward Defenders Monument in New Haven to commemorate resistance to British July 5, 1779; \$10,000 to be raised from other sources. 2§ '07 special acts ch.392, 11 July
- b Fla. Gov. to appoint committee of 5 to erect monument on battlefield of Chickamauga to Fla. soldiers who were in battle: \$15,000. 3§ '07 ch.116, 27 May
- c Ind. Appropriating \$12,500 for monument on Tippecanoe battlefield, provided Cong. appropriate like sum; 3 trustees appointed by Gov. 3§ '07 ch.44, 25 Feb.
- d Ind. Amdg. '85 ch.72 §1: counties may expend \$50,000 [\$25,000] for monument or *memorial hall* to Union soldiers. 1§ '07 ch.77, 26 Feb.
- e Ind. Gov. to appoint Comn. of 5 Ind. veterans of Vicksburg to construct monuments on battlefield; contracts; \$38,000; contributions. 11§ '07 ch.92, 2 Mar.
- f Ind. Comn. to erect monument at site of Andersonville prison to Ind. soldiers who died there; 3 resident Union veterans appointed by Gov.; \$10,000; report to Gov. 4§ '07 ch.208, 9 Mar.
- g Ind. Township trustee may accept gift of and care for soldiers monuments. 3§ '07 ch.266, 12 Mar.
- h Ia. Sec. of State to have printed and distributed 7000 copies of report of southern battlefield comns. 1§ '07 ch.291, 1 Apr.
- i Me. Appropriating \$500 for monument at Valley Forge. '07 r.90, 11 Mar.
- j Me. Comn. of 3, Gov. and 2 appointed by him, to erect monument at National Cemetery at Salisbury, N. C., to Me. soldiers that died there while prisoners; \$5000. '07 r.100, 13 Mar.
- k Mass. Gov. and Council to erect monument in National Cemetery at Newbern to Mass. soldiers who died in N. C. during Civil War; \$5000. '07 r.34, 22 Mar.
- n Minn. Appointing comn. of 3 to erect monument to 1st Minn. Battery on battlefield of Shiloh; \$5000. 2§ '07 ch.233, 18 Apr.
- p Minn. Amdg. '03 ch.136 §1, 2 rel. to erection of monument to Minn. troops in National Military Park at Vicksburg. 2§ '07 ch.251, 19 Apr.
- q Minn. Amdg. '05 ch.336 §2 rel. to removal of remains of victims of Indian outbreak of 1862 and erection of monument: under direction of *Adjutant Gen.* [comrs. of Murray county]. 1§ '07 ch.309, 22 Apr.
- r Neb. Cities and villages may erect soldiers and sailors monuments; tax. 2§ '07 ch.138, 27 Mar.
- s N. J. Amdg. '02 ch.178 §1: \$30,000 [\$15,000] for Princeton Battle Monument. 1§ '07 ch.13, 27 Mar.
- t N. J. Amdg. '06 ch.85 §1: \$4000 [\$2500] for monument to 14th regiment at Monocacy, Md. 1§ '07 ch.64, 15 Apr.
- u Pa. Comn. of 5, appointed by Gov. to erect monument at Salisbury, N. C. to Pa. soldiers who died in Confederate prison there; \$20,000. 4§ '07 ch.366, 13 June

2376

- v Pa.** Publication and distribution of revised report of Shiloh Battlefield Comm.; \$3800. 3§ '07 ch.384, 13 June
- w Pa.** Comm. of 5, survivors of Pa. regiments engaged at Battle of Cold Harbor, appointed by Gov.; to erect monument there to said troops; \$6000. 1§ '07 ch.437, 13 June
- x Pa.** Comm. of 3 appointed by Gov. to erect tablet at Middle Springs to soldiers of Wars of Revolution, 1812 and 1846 who went from there. 1§ '07 ch.438, 13 June
- y Pa.** Gov., Sec. of Commonwealth and Sec. of Internal Affairs to erect monument at National Cemetery, Culpeper, Va. to Pa. soldiers buried there; \$8000. 1§ '07 ch.447, 13 June
- z Pa.** Committee of 3 to erect monument at Driftwood to commemorate embarkation of Bucktail Regiment there in 1861; \$2500. 2§ '07 ch.455, 13 June
- za Pa.** Comm. of 3, survivors of 67th, 87th and 138th regiments, appointed by Gov.; to erect monument on battlefield of Monocacy to such regiments; transportation of survivors to dedication; \$10,000. 5§ '07 ch.457, 13 June
- zb Pa.** Comm. in charge of erection of monument at Andersonville, Ga. to publish report of dedication; distribution; \$4700. 3§ '07 ch.462, 13 June
- zc Pa.** Antietam Battlefield Comm. to publish report of dedication of monuments; distribution; \$3500. 3§ '07 ch.470, 13 June
- zd Pa.** Battlefield Comm. of 3d division, 9th corps, Army of Potomac; 6 survivors appointed by Gov.; to erect monument at Petersburg, Va. to such division; transportation of survivors to dedication; \$21,000. 5§ '07 ch.485, 13 June
- ze Pa.** Gettysburg Battlefield Memorial Comm. of 9, veterans of War of Rebellion, appointed by Gov.; to erect monument to Pa. soldiers in such battle; \$150,000. Rep. '01 ch. 451. 3§ '07 ch.504, 13 June
- zf Pa.** Comm. of 3 appointed by Gov. to erect monument to Union soldiers buried in U. S. military cemetery at Winchester, Va.; \$20,000. 2§ '07 ch.672, 13 June
- zg S. D.** County comrs. may levy and appropriate \$1500 for soldiers monument. 3§ '07 ch.232, 25 Feb.
- zh Vt.** Amdg. '07 ch.182; \$800 [\$500] appropriated to erect monument on battlefield of Monocacy, Md. 2§ '06 ch.234, 17 Dec.
- zi Wis.** Shiloh Monument Comm. may use unexpended balance of appropriations to publish report containing maps, views and history of battle; distribution. 3§ '07 ch.53, 23 Apr.
- zj Wis.** Continuing Wis. Vicksburg National Military Park Comm.; \$100,000 additional. 5§ '07 ch.541, 10 July

2377

#### Memorials to individuals

- a Ala.** Comm. consisting of Gov., Auditor, director of Dept. of Archives and History and 2 appointees of Gov. to erect statue of Jefferson Davis on Capitol grounds; \$15,000. 4§ '07 p.789, 16 Aug.
- aa Ari.** Inviting President of U. S. to attend unveiling monument to Captain O'Neill of Rough Riders. '07 p.300, 18 Feb.



# HISTORY AND MEMORIALS

2377

- b Cal.** Trustees of State Burying Ground and State Bd. of Examiners to erect monument at grave of Edward P. Colgan, late State Comptroller, in State Burial Plot at Sacramento; \$1500. 4§  
'07 ch.27, 23 Feb.
- c Cal.** Portrait of ex Gov. George C. Pardee; \$500. 2§  
'07 ch.195, 11 Mar.
- d Ct.** Sec. of State to procure portrait of Gov. Rollin S. Woodruff. 1§  
'07 special acts ch.513, 1 Aug.
- e Del.** Appointing comn. of 10 to erect monument to Brigadier Gen. John Dagworthy in graveyard near Dagsboro. 1§  
'07 ch.24, 9 Apr.
- f Fla.** Gov. to appoint committee of 3 Confederate veterans to consider kind and cost of statue to be erected to Gen. Edmund Kirby Smith in National Statuary Hall at Washington; report to Legis. 1909. 3§  
'07 ch.119, 20 May
- g Fla.** Gov. to appoint comn. of 5 to locate in Porto Rico remains of Ponce de Leon and if possible remove them to St Augustine. 1§  
'07 ch.120, 1 June
- h Id.** Creating comn. of 5 to erect statue of late Senator George L. Shoup in National Statuary Hall at Washington; \$6000. 4§  
'07 p.110, 5 Mar.
- i Ind.** Comn. of 3 to procure statue of Gen. Lew Wallace for National Statuary Hall in Washington; \$5000. 1§ '07 ch.102, 4 Mar.
- j Ind.** Nancy Hanks Lincoln Memorial Association may convey to state grave of Nancy Hanks Lincoln; comn. to care for same; \$5000 for immediate improvements; \$500 annually. 5§ '07 ch.106, 5 Mar.
- k Ind.** Comrs. of Oliver P. Morton monument may ornament site and dedicate same. 1§  
'07 ch.146, 9 Mar.
- n Ia.** Executive Council to place statue of late James Harlan, ex senator and Sec. of Interior under Lincoln, in National Statuary Hall in Washington; \$5000. 2§  
'07 ch.226, 20 Mar.
- p Mich.** Comn. of 3, appointed by Gov., to erect statue of Stevens T. Mason, 1st Gov., at place of interment, Detroit; \$10,000.  
'07 p.506, 26 Mar.
- q Mich.** Gov. to appoint comn. of 3 to erect equestrian statue of Gen. George A. Custer at city of Monroe; \$25,000. 3§  
'07 ch.296, 27 June
- r Minn.** Gov. to appoint comn. of 5, survivors of 1st Minn. Volunteers, to erect heroic bronze figures of Col. William Colville at capitol and at grave in Cannon Falls; \$10,000. 2§ '07 ch.70, 28 Mar.
- s Mon.** Appropriating \$250 for bronze tablet of Captain James Williams to be placed in main hall of Capitol. 2§ '07 p.573, 13 Feb.
- t Neb.** Monument to ex Gov. John M. Thayer; \$1250. 3§  
'07 ch.195, 9 Apr.
- u N. J.** Presiding officers of legis. houses and Adjutant Gen. to form committee to purchase portraits of certain former Govs.; \$2800. 2§  
'07 p.738, 18 June
- v N. M.** Appropriating \$5000 for monument at Las Vegas to explorer Francisco Vasquez de Coronado, on condition that Coronado Memorial Association raise like sum.  
'07 p.300, 16 Mar.

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- w** **N. C.** Gov. and Council to erect statue of Gov. Zebulon Baird Vance in Statuary Hall at Washington. 3§ '07 p.1433, 11 Mar.
- x** **N. D.** Granting site on Capitol grounds for statue of Saka-jawea, Indian guide of Lewis and Clarke expedition; appropriation for foundation and pedestal. 2§ '07 ch.12, 2 Mar.
- y** **Pa.** Comn. of 5 to erect monument to Brigadier Gen. Theodore J. Wint in National Cemetery, Arlington, Va.; \$500. 4§ '07 ch.360, 13 June
- z** **Pa.** Committee of 20, Daughters of Revolution, appointed by State Regent, to erect bronze tablet to John Jacob Micky at Zion Reformed Church, Allentown, where he brought Liberty Bell in 1777. 2§ '07 ch.417, 13 June
- za** **Pa.** Committee of 3, appointed by Gov. to erect memorial at grave of U. S. Senator Samuel Maclay at Buffalo Valley; \$1000. 1§ '07 ch.467, 13 June
- zb** **R. I.** State House Comn. to procure portrait of Major Gen. Nathanael Greene for State House. '07 r.42, 10 Apr.
- zc** **R. I.** Comn. of 5, appointed by Gov., to investigate neglect of remains of Roger Williams and recommend at next session as to care of same. '07 r.44, 23 Apr.
- zd** **R. I.** Committee of 3, appointed by him, to procure portrait of Speaker Roswell B. Burchard. '07 r.80, 23 Apr.
- ze** **S. C.** Creating comn. to place statue of John C. Calhoun in National Capitol; \$10,000. 2§ '07 ch.373, 13 Feb.
- zf** **S. C.** Comn. of 5 members to mark grave of Gen. Thomas Sumter; \$1000. 3§ '07 ch.374, 25 Feb.
- zg** **Tenn.** Appropriating \$350 to purchase portrait of Gen. B. F. Cheatham to be hung in State Library. '07 p.2244, 6 Apr.
- zh** **Tex.** Gov. and Supt. of Public Buildings and Grounds to erect monument to Gen. Sam Houston at grave in Huntsville; \$10,000. 2§ '07 ch.179, 30 Apr.
- zi** **U.** Gov. may procure oil portraits of ex Gov. Wells and of himself to be hung in executive chamber. '07 p.271, 25 Mar.
- zj** **Vt.** Appropriating \$1000 for purchase of birthplace and erection of monument to Gen. George J. Stannard. 2§ '06 ch.235, 19 Dec.

2378

## War relics

- a** **Id.** Preservation of Civil War relics etc. in State House under supervision of G. A. R. at state expense. 4§ '07 p.152, 7 Mar.

2379

## War records

- a** **Fla.** Requesting Cong. to furnish copies of records of Fla. troops in wars of U. S. '07 p.775, 7 May
- b** **Ia.** Creating Comn. to compile roster of Ia. soldiers in Mexican War and wars since; to consist of Gov., Atty. Gen., Adjutant Gen., Curator of Historical Dept. and 1 veteran; \$7500. 3§ '07 ch.223, 10 Apr.
- c** **Me.** Adjutant Gen. under direction of Gov. and Council may provide for preservation of papers of War of Rebellion in such office. '07 r.22, 12 Feb.

## HISTORY AND MEMORIALS

2379

- d **Mich.** Adjutant Gen. to compile and publish records of Mich. regiments in Civil, Spanish-American and Philippine wars; distribution; \$2000. 5§ '07 ch.139, 12 June
- e **Mich.** Adjutant Gen. to furnish on request history of service of veteran enlisted from state during Civil and Spanish wars. 3§ '07 ch.242, 27 June
- f **Vt.** To preserve war records in office of Adjutant Gen.; \$700 appropriated. 2§ '06 ch.222, 6 Dec.
- g **Wis.** Wis. History Comn. to prepare history of part taken by state in Civil War. 6§ '07 ch.378, 24 June

2380

### Scientific work. Art

- a **Ia.** Amdg. C. §422: bd. of supervisors may permit use of county land for ornamental purposes. 1§ '07 ch.15, 28 Feb.
- b **Minn.** Amdg. R.L.'05 §1467 rel. to membership in State Art Association. 2§ '07 ch.422, 25 Apr.

2382

### Academies of science

- a **Ia.** Amdg. C. §136 rel. to distribution of report of Academy of Sciences: 1 [2] copy to various officers and institutions. 1§ '07 ch.4, 2 Apr.

2383

### Biology

- a **Pa.** Dept. of Agric. may publish not to exceed 50,000 copies of any bulletin of Division of Zoology. 2§ '07 ch.242, 31 May

2384

### Geology. Topography

- a **Ark.** Free distribution of geological reports of state. 2§ '07 ch.386, 23 May
- b **Ark.** Gov. to appoint professor of geology at University of Ark. State Geologist; Geological Comn. to consist of Gov., president of University and Comr. of Mines; to coöperate with U. S. govt. in making survey of deposits of state; \$1800. 6§ '07 ch.417, 28 May
- c **Cal.** Rep. P.C. §548-54 rel. to State Geologist. 1§ '07 ch.311, 18 Mar.
- d **Col.** Creating State Geological Survey under State Geologist; advisory bd. composed of Gov., president of University, president of State School of Mines, president of State Agric. College; objects. 12§ '07 ch.78, 24 Apr.
- e **Fla.** Gov. to appoint State Geologist to make survey; salary \$2500; annual report to Gov.; regulations. 7§ '07 ch.86, 3 June
- f **Ind.** State Geologist may require information to be given, penalty for refusal \$5; may issue bulletins in his discretion; salary \$3000. 4§ '07 ch.181, 9 Mar.
- g **Kan.** State University to continue work of State Geological Survey; State Geologist to be appointed by chancellor of university; publication of reports. 4§ '07 ch.395, 9 Mar.
- h **Mich.** Amdg. C.L.'97 §8195-96 rel. to historical and geographical societies: local associations to transmit copy of transactions to sec. of State Association; on dissolution State Librarian to be custodian of collections. 2§ '07 ch.31, 3 Apr.

2384

- i **Vt.** Amdg. S. §228 rel. to duties of State Geologist. 1§  
'06 ch.11, 16 Nov.
- j **Wis.** Wis. Geological and Natural History Survey to experiment in road building; to survey lead and zinc region and water power; \$20,000. Adds S.'98 §392m. 1§  
'07 ch.641, 15 July
- k **Wy.** Amdg. '01 ch.45 §5 rel. to fees of State Geologist. 1§  
'07 ch.33, 15 Feb.

2386

## Art

- a **Kan.** Aplington art gallery (of carbon photographs of famous paintings) to be part of Kan. traveling libraries. 2§ '07 ch.385, 21 Feb.

2388

## Military regulations

*See also 2363, History, records, memorials*

- a **Cal.** Prohibiting unauthorized use of uniform of U. S. Army or Navy or National Guard; actors and civic societies excepted. Adds §442½ to Pen.C. 1§  
'07 ch.418, 21 Mar.
- b **Mass.** Urging president to exert influence for adoption of 6 recommendations by Hague peace conference. '07 p.1028, 27 Feb.

2391

## Militia. National Guard

- a **Ala.** Amdg. '99 p.136 §1, 2: organization and discipline of National Guard to conform to U. S. regulations; staff of commander in chief. 2§  
'07 p.112, 15 Feb.
- b **Ari.** Amdg. R.S.'01 §3127, 3175 rel. to Military C.: National Guard to be governed and equipped according to regulations of U. S. army; annual appropriation \$300 for encampment. 2§  
'07 ch.65, 21 Mar.
- c **Ark.** National Guard; to conform to U. S. regulations. 48§  
'07 ch.365, 23 May
- d **Cal.** Rep. P.C. t. 4 ch.3-6 as existing Mar. 17, 1905; not to apply to said t.4 as existing Mar. 18, 1905. 1§  
'07 ch.70, 18 Mar.
- e **Cal.** Legis. committee of 5 to investigate 3 sites for rifle ranges; report next session. 1§  
'07 p.1365, 14 Mar.
- f **Cal.** Amdg. P.C. §1908, 1914, 1916, 1922-23 rel. to militia. 5§  
'07 ch.443, 21 Mar.
- g **Cal.** Generally amdg. P.C. §1925-2112 rel. to National Guard. 23§  
'07 ch.444, 21 Mar.
- h **Ct.** Amdg. sundry § of G. S.'02 rel. to militia. 11§  
'07 ch.34, 11 Apr.
- i **Del.** National Guard. Amds. '97 ch.392. 19§ '07 ch. 62, 5 Mar.
- j **Del.** County, municipality or corp. may make gift for benefit of militia. 2§  
'07 ch.64, 29 Mar.
- k **Fla.** Amdg. G.S.'06 §669, 694, 727, 728, 733 rel. to militia. 5§  
'07 ch.76, 3 June
- n **Ga.** Conforming militia to requirements of Cong. 12§  
'07 p.102, 22 Aug.
- p **Id.** Amdg. '05 p.10 rel. to organization of militia. 66§  
'07 p.195, 12 Mar.

# MILITARY REGULATIONS

2391

- q Ill. Generally amdg. '03 p.318, the military and naval code. 33§  
'07 p.558, 28 May
- r Ia. Amdg. '04 ch.77 §12, '06 ch.91 §14, 18 rel. to allowances to and  
annual appropriation for militia. 4§ '07 ch.117, 13 Apr.
- s Kan. Amdg. '05 ch.303, §3, 5, 25, 31 rel. to organization of mili-  
tia. 5§ '07 ch.248, 27 Feb.
- t Mass. Commander in chief may make field batteries conform to  
govt. requirements; to entitle officers to retire service need not have  
been continuous. Amds. '05 ch.465 §83. 3§ '07 ch.305, 18 Apr.
- u Mass. Commander in chief to cause militia to conform to re-  
quirements of U. S. govt. 3§ '07 ch.356, 3 May
- v Mass. Full dress uniform for militia; \$97,500. '07 r.74, 3 May
- w Minn. Amdg. R.L.'05 §1050, 1052-53, 1071-72, 1088, 1092: militia  
made to conform to U. S. regulations. Rep. §1073. 10§  
'07 ch.443, 25 Apr.
- x Mo. Amdg. '05 p.220 art.8 §8 rel. to disbursements for militia:  
to be approved by Gov.; Inspector Gen. and senior artillery officer  
added to Military Bd. 1§ '07 p.362, 19 Mar.
- y N. H. Fines in connection with militia may be collected in civil  
courts. 1§ '07 ch.77, 22 Mar.
- z N. J. Amdg. '06 ch.233 §78 rel. to composition of militia. 1§  
'07 ch.275, 28 Oct.
- za N. M. Amdg. '05 ch.101 §10, 30, 31, 38, 56, 69, ch.116 §2 rel. to Na-  
tional Guard: retirement of officers; promotion by seniority; pay;  
calling out; exemption from jury service. 7§ '07 ch.70, 21 Mar.
- zb N. Y. Comn. of 9, 3 appointed by Gov., 3 assemblymen and 3  
senators, to investigate condition of National Guard and revise Mili-  
tary C.; \$10,000. 3§ '07 ch.261, 1 May
- zc N. Y. Amdg. Military C. '98 ch.212 §158 rel. to audit of pay-  
ments on account of funds allowed organizations. 1§  
'07 ch.313, 6 May
- zd N. Y. Amdg. Military C. '98 ch.212 §29 rel. to composition of  
battery of artillery. 1§ '07 ch.481, 11 June
- ze N. C. Amdg. Revisal '05 ch.102 rel. to militia. 84§  
'07 ch.316, 11 Mar.
- zf R. I. Amdg. G.L. ch.296 §13, 21, 23, 32, 34, 47 rel. to National  
Guard: regiment to consist of 8 to 12 [10] companies; adds 1 com-  
pany of engineers, 1 field battery, 1 hospital corps, 1 signal corps to  
guard; grouping separate organizations; brigade officers; organization  
and designation of companies, etc. Rep. G.L. ch.296 §35-38, 41-43, 45-  
46; '96 ch.417; '98 ch.589. 9§ '07 ch.1424, 2 Apr.
- zg U. Amdg. '05 ch.67 §3 rel. to company armorers: of mounted  
organization pay \$25 per quarter. 1§ '07 ch.91, 14 Mar.
- zh U. Amdg. R.S.'98 §1434, 1445, 1484, 1494 rel. to militia: strength  
of organizations; retirement; court of inquiry; failure to respond to  
call. 4§ '07 ch.103, 14 Mar.
- zi Vt. Student military organizations of the University of Nor-  
wich may enlist in militia. Amds. S. §4373. 1§ '06 ch.141, 22 Nov.

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- zj** Wash. Amdg. '95 ch.108 § 31, 42, 87, 89, 176 rel. to National Guard. Rep. '03 ch.155 §16. 7§ '07 ch.122, 11 Mar.
- zk** Wis. Amdg. S.'98 §649 subdiv.34: annual appropriation for National Guard \$140,000 [\$100,000]. 1§ '07 ch.42, 12 Apr.
- zn** Wis. Making organization of National Guard conform to that of U. S. Adds S.'98 §633m. 1§ '07 ch.167, 6 June
- zp** Wis. Msdr. for employer or trade union to discriminate against member of National Guard. Adds S.'98 §4423m, n. 2§ '07 ch.462, 1 July
- zq** Wy. Amdg. '05 ch.46 art.1 §2-4, 6, 7, 9, 10, art.2 §6 rel. to organization of militia. 8§ '07 ch.67, 20 Feb.

2392

## Armories

- a** Fla. Gov. may apply to U. S. govt. for use of St Francis Barracks as State Arsenal. 3§ '07 ch.75, 3 June
- b** Ind. Creating Armory Bd. consisting of Gov., Adjutant Gen. and 5 members appointed by Gov.; to provide and care for armories. 11§ '07 ch.185, 9 Mar.
- c** Mass. Amdg. '05 ch.465 §12, 110, 111, 113-23 rel. to purchase, construction and maintenance of certain armories by the commonwealth. 14§ '07 ch.526, 15 June
- d** Mo. Municipalities and counties may construct or acquire and maintain armories for National Guard organizations. 3§ '07 p.92, 18 Mar.
- e** Nev. Adjutant Gen. constituted custodian of State Armory. 1§ '07 ch.28, 28 Feb.
- f** N. J. Amdg. '88 ch.182 §3 rel. to erection of armories in cities of 1st and 2d classes: provisions extended to all mun. corporations. 1§ '07 ch.83, 17 Apr.
- g** N. J. State Military Bd. to select site for armory in each county of 3d class; county to pay for land, state for building; cost of latter not over \$25,000. 7§ '07 ch.254, 18 June
- h** N. M. Creating Armory Bds. of Control in Santa Fe, Roswell, Silver City and Las Cruces to consist of Adjutant Gen. and 4 local commissioned officers designated by Gov.; to supervise erection and administration of armories; bond issues. 10§ '07 ch.55, 20 Mar.
- i** N. D. Gov., Adjutant Gen. and colonel of regiment to constitute Bd. of Armory Supervisors; to select sites, approve plans, supervise construction and audit bills for armories; transfer of armory on muster out; mortgaging armory to state. Rep. R.C.'05 §1789-93. 6§ '07 ch.174, 4 Mar.
- j** Or. Appropriating \$100,000 for construction of armories under direction of State Military Bd.; companies etc. to pay rental therefor out of annual allowance. 5§ '07 ch.236, 26 Feb.
- k** Pa. Amdg. '05 ch.307 §8 rel. to maximum expenditures for armories: for company \$25,000 [\$20,000] for battery or troop \$35,000 [\$30,000]. 1§ '07 ch.65, 15 Apr.
- n** Wash. Construction of armories; local comms. appointed by Gov.; architects; contracts. 11§ '07 ch.55, 1 Mar.

# MILITARY REGULATIONS

2394

## Encampment

- a Fla. Armory Bd. may acquire land at Black Point for permanent camp for militia and equip same. 3§ '07 ch.77, 3 June
- b Ill. Amdg. '03 p.318, art.11, §2 rel. to militia: officers to receive full [½] pay during encampment; enlisted men when at maneuvers or instruction camp under U. S. to receive pay from state. 1§ '07 p.569, 17 May

## Military schools, see 2348(5)

2397

## Naval militia

- a Tenn. Establishing battalion of naval militia. 6§ '07 ch.411, 12 Apr.

2398

## Officers and boards

- a Nev. Amdg. C.L.'00 §723: staff of Gov. increased. 1§ '07 ch.36, 5 Mar.
- b N. H. Amdg. '95 ch.59 §39: staff for major of battalion part of regiment. 1§ '07 ch.83, 26 Mar.
- c N. H. Annual allowance for uniforms to officers of National Guard of \$25. 2§ '07 ch.140, 5 Apr.
- d N. J. Amdg. '06 ch.233 §40 rel. to rank of assistants surgeon gen. of militia. 1§ '07 ch.18, 29 Mar.
- e N. Y. Amdg. Military C. '98 ch.212 §25: regiment of coast [heavy] artillery allowed *major as artillery engineer and ordnance officer* [regimental electrician sergeant], *master electrician* and battalion electrician sergeants, additional. 1§ '07 ch.312, 6 May
- f Pa. Retirement of officers of National Guard. 6§ '07 ch.258, 31 Mar.
- g U. Amdg. R.S.'98 §1436, 1438 rel. to members of staff of commander in chief of militia and their duty. 2§ '07 ch.97, 14 Mar.
- h Vt. Field officers in militia to be commissioned for 5 years. 1§ '06 ch.142, 22 Oct.
- i Wis. Amdg. '05 ch.309: *student* [graduate] of University of Wis. completing 4 years drill and military instruction *and commissioned major by university*, may be appointed brevet 2d lieutenant. 1§ '07 ch.44, 13 Apr.
- j Wis. Amdg. '01 ch.228 §43 to be S.'98 §649 subdiv.3: officer of National Guard may be discharged by Gov. *on recommendation of court martial after due trial or on resignation or disability*. 1§ '07 ch.134, 23 May

2400

## Adjutant general

- a Ala. Salary of clerk to Adjutant Gen. \$1200. 3§ '07 p.581, 6 Aug.
- b Ark. Amdg. S.'04 §7378: salary of sec. to Gov. for services as such and as Adjutant Gen. \$2200 [\$1600]. 2§ '07 ch.229, 27 Apr.
- c Del. Increasing salary of Adjutant Gen. \$600. 1§ '07 ch.81, 21 Mar.
- d Kan. Amdg. '05 ch.488 §9 rel. to salaries in office of Adjutant Gen. 2§ '07 ch.400, 12 Mar.

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- e **N. C.** Amdg. Revisal '05 §2750: salary of Adjutant Gen. \$1600 [\$1000]; *to reside at capital.* 1§ '07 ch.803, 8 Mar.

2405

## Volunteers in Spanish War. Additional pay

- a **Ind.** Appropriating \$11,674.61 to pay claims of 161st regiment and companies A and B colored, Spanish War volunteers. 2§ '07 ch.284, 12 Mar.
- b **Me.** Volunteers under second call in war with Spain to receive same extra pay as those under first call. '07 r.24, 12 Feb.
- c **Me.** Amdg. R.S.'03 ch.27 §9: indigent veterans of War of 1861 and *Spanish War* to be supported at home and not in poorhouse. 1§ '07 ch.83, 20 Mar.

2406

## Pensions and relief

- a **Fla.** Creating comm. of 3, appointed by Gov., to examine and audit claims against state for services, forage, subsistence and transportation furnished in Seminole Wars; \$10,000. 10§ '07 ch.39, 3 June
- b **Ia.** Requesting Cong. to place veterans of Ia. Northern Border Brigade, as applicants for pensions, in same position as if mustered into U. S. service. 2§ '07 p.292, 6 Apr.
- c **Kan.** Urging Cong. to grant pensions to state militiamen who were called into active service under federal officers in civil war. '07 ch.436, 6 Feb.
- d **Kan.** Urging Cong. to grant pension to Forsyth scouts. '07 ch.440, 11 Feb.
- e **Kan.** Protesting against abolition by Cong. of all pension agencies. '07 ch.443, 11 Feb.
- f **Me.** Requesting delegation in Cong. to oppose consolidation of pension agencies. '07 r.96, 11 Mar.
- g **Mich.** Bd. of State Auditors to investigate and pay claims of veterans of War of Rebellion for bounties. '07 p.507, 26 Mar.
- h **Or.** Requesting Cong. to pension veterans of Bannock Indian War of 1878. '07 p.520, 21 Feb.
- i **U.** Requesting Cong. to pension veterans of Indian wars from 1854 to 1867. '07 p.269, 16 Feb.

2408

## State pensions and aid

- a **Ct.** Providing for care of veteran at home at cost not to exceed maintenance at Fitch's Home for Soldiers. 2§ '07 ch.77, 14 May
- b **Me.** Member of National Guard disabled on duty to receive pay and expense of medical treatment for not to exceed 90 days. 1§ '07 ch.131, 26 Mar.
- c **Mass.** Veterans of Civil War in service of commonwealth, if incapacitated, may be retired by Gov. on half pay. 1§ '07 ch.458, 28 May
- d **Minn.** Free tuition in University of Minn. for veteran of Spanish American War resident in state at time of enlistment. 2§ '07 ch.158, 12 Apr.



## MILITARY REGULATIONS

2409

### *Confederate veterans*

- a **Ala.** Confederate pensioners over 80 entitled to pension of 1st class. 2§ '07 p.550, 6 Aug.
- aa **Ala.** Providing for census of Confederate veterans. 5§ '07 p.637, 8 Aug.
- ab **Ala.** Amdg. '99 p.226 rel. to classification of pensioners. 1§ '07 p.719, 13 Aug.
- ac **Ala.** Auditor, on certificate of bd. of county examiners, may restore to pension list names omitted by error. 1§ '07 p.724, 13 Aug.
- ad **Ala.** Prescribing method of proving service by person seeking pension as Confederate veteran. 6§ '07 p.648, 14 Aug.
- ae **Ala.** Amdg. '03 p.260 §5: Bd. of Control may establish home for indigent Confederate veterans *and their wives*. 1§ '07 p.697, 14 Aug.
- af **Ark.** Confederate veterans to be supplied with artificial legs and feet; \$3000. 5§ '07 ch.48, 25 Feb.
- b **Ark.** Joint legis. committee of 9 to investigate conditions and management of ex Confederate Soldiers Home; report this session. 1§ '07 p.1261, 28 Feb.
- c **Ark.** Amdg. S.'04 §5962: annual levy for Confederate pensions 1 1/2 [1] mills. 1§ '07 ch.63, 4 Mar.
- d **Ark.** Increase of pension of Confederate veteran on becoming less able to work. 2§ '07 ch.76, 9 Mar.
- e **Ark.** Transfer of insane inmate of Confederate Home to Hospital for Nervous Diseases. 2§ '07 ch.384, 23 May
- f **Fla.** Creating State Bd. of Pensions; to consist of Gov., Comptroller and Treasurer; schedule of pensions for Confederate veterans and their widows. 15§ '07 ch.5, 29 May
- g **Ga.** Pensions of Confederate veterans payable quarterly; ordinaries to keep lists and make payments. 8§ '07 p.107, 22 Aug.
- h **N. C.** Amdg. Revisal '05 §4991: pension to Confederate veteran for arm and leg \$120. 1§ '07 ch.60, 30 Jan.
- i **N. C.** Pensions for Confederate veterans and widows; classification according to disability; persons not entitled; county and state bds.; regulations; special state tax. 21§ '07 ch.674, 8 Mar.
- j **S. C.** Annual appropriation of not less than \$250,000 for pensions of Confederate veterans; \$5000 of this for artificial limbs. 5§ '07 ch.299, 19 Feb.
- k **S. C.** Appropriating \$3500 annually for accommodation of needy Confederate veterans at annual reunion; comm. to disburse money. 3§ '07 ch.258, 20 Feb.
- n **Tenn.** Amdg. '91 ch.64 rel. to pensions for Confederate veterans: annual appropriation \$600,000 [\$300,000]; compensation and duties of examiners. 3§ '07 ch.8, 6 Feb.
- p **Tenn.** Amdg. '05 ch.202 §7: annual appropriation of \$60,000 [\$25,000] for pensions for widows of Confederate veterans. 1§ '07 ch.103, 12 Feb.
- q **Tex.** Census of Confederate veterans. 2§ '07 p.425, 5 Mar.

2410

### Local pensions and relief

- a **Ill.** Overseer of poor to provide relief for indigent veterans of Civil War, Spanish War, Philippine insurrection or Boxer uprising. Rep. '95 p.83. 9§ '07 p.79, 25 May
- b **Ia.** Amdg. C. §432: soldiers relief comm. in county to meet 2d [1st] Monday in Sept. 1§ '07 ch.18, 20 Mar.
- c **Wash.** Amdg. '88 ch.117 §1-7 rel. to relief of veterans by county: extended to veterans of Spanish-American war and Philippine insurrection. 7§ '07 ch.64, 5 Mar.

2411

### Burial expenses

- a **Col.** State to establish and maintain cemeteries for veterans of Civil and Spanish Wars in cities and towns. 7§ '07 ch.114, 9 Apr.
- b **Ill.** Counties to pay expenses of burial of deceased indigent veterans of Civil War, *Spanish-American War, Philippine insurrection or Boxer uprising*. Rep. '91 p.200. 4§ '07 p.78, 24 May
- c **Ind.** Amdg. '01 ch.147 §34 rel. to burial of soldiers by townships: overseers of poor may if necessary purchase burial place. 1§ '07 ch.103, 9 Mar.
- d **Kan.** Amdg. G.S.'01 §6947 rel. to burial of deceased veterans of Civil War. 2§ '07 ch.376, 5 Mar.
- e **Kan.** Burial by county of deceased indigent veterans of Spanish War, Philippine insurrection and Chinese expedition. 2§ '07 ch.375, 9 Mar.
- f **Mass.** Amdg. '04 ch.381 §17-18: expense of burial of veteran by authorities §37 [\$35], of which \$2 to be paid to burial agent. 2§ '07 ch.354, 3 May
- g **Mich.** Amdg. '05 ch.39 §1: person appointed to see that veterans be properly buried to receive \$2 for each burial. 1§ '07 ch.163, 18 June
- h **Minn.** Amdg. R.L.'05 §1850: county bd. to bury veteran at expense of not to exceed \$50 [\$35]. 1§ '07 ch.129, 9 Apr.
- i **Pa.** Amdg. '85 ch.20 §1-2 rel. to burial of indigent veterans by county: includes those of War with Spain. 2§ '07 ch.7, 7 Mar.

### Preference of veterans

See 38 (5 Civil service; also 816, Exemption from taxation; 833, Business taxes; 1560, Hawkers and peddlers; 2335, Tuition; 2714, Road tax)

2413

### Widows and families

- a **Ark.** Amdg. S.'04 §5939: annual pension of widow or mother of Confederate veteran \$100 [\$50]. 2§ '07 ch.52, 27 Feb.
- b **N. J.** Widows of veterans of War of Rebellion in state or mun. service to be retired on half pay after 25 years service. 3§ '07 ch.16, 29 Mar.

2416

### Soldiers homes

- a **Ct.** Rank of officers of Fitch's Home for Soldiers; to be commissioned by Gov. and uniformed. 2§ '07 ch.87, 22 May

# MILITARY REGULATIONS

2416

- b **Fla.** Confederate pensioners eligible for admission to Confederate Soldiers Home; need not relinquish pension. 2§ '07 ch.78, 3 June
- c **Ia.** Amdg. C. §2608: annual appropriation for soldiers home \$15 [\$14] per capita per month. 1§ '07 ch.146, 4 Apr.
- d **Kan.** Amdg. G.S.'01 §7014, 7017; '05 ch.480 §1 rel. to State Soldiers Home: salary of commandant \$1200 [\$1000]; *commandant* [bd. of managers] to appoint subordinates; admissions. 3§ '07 ch.369, 23 Feb.
- e **Minn.** Amdg. R.L.'05 §1836-37 rel. to bd. of trustees of Soldiers Home: *treasurer to give bond*; salary of sec. *not to exceed* \$1800 [fixed by bd.]. 2§ '07 ch.326, 23 Apr.
- f **Mo.** Amdg. R.S.'99 §7798: salary of treasurer of Federal Soldiers Home \$500 [\$100]. 1§ '07 p.310, 20 Mar.
- g **Mon.** Hospital at Mon. Soldiers Home; \$37,300. 4§ '07 p.528, 5 Mar.
- h **Neb.** Amdg. C.S.'05 §5878 rel. to appointment of commandant and other officers of Soldiers and Sailors Home; to be under direction of *Gov.* [Bd. of Public Lands and Buildings]. 2§ '07 ch.136, 4 Apr.
- i **Neb.** Amdg. C.S.'05 §5881 rel. to commandant of Milford Soldiers Home. 2§ '07 ch.137, 6 Apr.
- j **N. Y.** Amdg. '94 ch.468 §8 rel. to conditions for admission to Home for Aged and Dependent Veteran and His Wife, Veterans' Mothers, Widows and Army Nurses; must have served 90 days in War of Rebellion; *application to be approved by bd. of managers*; must have been married 15 years [prior to 1880]. 1§ '07 ch.597, 17 July
- k **Or.** Pension money belonging to inmates who died at Soldiers Home, unclaimed for 3 years to escheat for benefit of such home. 3§ '07 ch.133, 23 Feb.
- n **Or.** Amdg. Ann. C. & S. 3587: salary of commandant of Soldiers Home \$1000 [\$750]. 1§ '07 ch.220, 25 Feb.
- p **Wash.** Establishing branch of State Soldiers Home to be known as Wash. Veterans Home; \$50,000. 5§ '07 ch.156, 13 Mar.
- q **Wis.** Amdg. S.'98 §1529a rel. to support of inmates of Wis. Veterans Home: extended to employees not inmates, nonresident veterans of Wis. regiments, army nurses and mothers of veterans; burial. 1§ '07 ch.51, 19 Apr.

2417

## Admission

- a **Id.** Amdg. '99 p.190 §1: veterans of Indian wars admitted to Soldiers Home. 1§ '07 p.15, 15 Feb.
- b **Ia.** Amdg. C. §2602 rel. to admission to Soldiers Home: applicant to have certificate of residence in county signed by bd. of supervisors. 1§ '07 ch.145, 20 Mar.
- c **Or.** Amdg. Ann. C. & S. §3588 rel. to admission to Soldiers Home: applicant must have been resident of county *for last 12 months*. 1§ '07 ch.219, 25 Feb.
- d **Pa.** Amdg. '85 ch.40 §1: extends privileges of Soldiers Home to veterans of War with Spain. 1§ '07 ch.17, 21 Mar.

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2418

## Widows and orphans

- a Ill. Amdg. '95 p.23 §10: salary of matron of Soldiers' Widows Home \$1200 [\$600]. §1 '07 p.84, 13 May
- b Ill. Amd'g. '85 p.16 §3a rel. to admission of wife of veteran to Soldiers and Sailors Home: must have been married prior to 1890 [1880] and must be of age of 50 [60]. 1§ '07 p.82, 25 May
- c Ill. Amdg. '75 p.104 §5 rel. to Soldiers' Orphans Home: dependent orphans not orphans of veterans may be admitted if there is room. 1§ '07 p.82, 25 May
- d Kan. Amdg. '03 ch.480 §1 rel. to admission to Mother Bickerdyke annex to Soldiers Home: dependent relatives of sailors to be admitted; maximum age beyond which children not to be kept. 2§ '07 ch.397, 28 Feb.
- e Pa. Amdg. '05 ch.130 §1 subdiv.11 rel. to printing and distribution of report of Comrs. of Soldiers' Orphans Schools. 1§ '07 ch.47, 4 Apr.
- f Tex. Submitting amdt. to Const. 1876 art.3 §51: providing for home for Confederate veterans' wives and widows and women who aided the Confederacy. 2§. Rejected Aug. 1907. '07 p.412

2421

## Organizations

- a Cal. Amdg. '87 ch.74: msdr. to wear unlawfully badge of G. A. R. or *United Spanish War Veterans*. 1§ '07 ch.61, 1 Mar.
- b Ill. Incorp. of posts or camps of G. A. R., United Spanish War Veterans, or Army of Philippines. Rep. '05 p.123. 6§ '07 p.214, 17 May
- c Ill. Unlawful wearing of badge of G. A. R., United Spanish War Veterans, or Army of Philippines. Rep. '91 p.99. 3§ '07 p.264, 20 May
- d N. H. Unlawful for unauthorized person to use insignia of military, patriotic or fraternal society; penalty. Rep. P.S. ch.273 §10. 2§ '07 ch.62, 20 Mar.
- e N. D. Amdg. R.C.'05 §9245: msdr. to make unauthorized use of insignia of G. A. R. or *other organization of 5 years standing in state*. 2§ '07 ch.39, 8 Mar.

2423

## G. A. R.

- a Mass. Sec. of Commonwealth to have printed and distributed proceedings of annual state encampment of G. A. R. 2§ '07 ch.111, 16 Feb.
- b N. Y. Committee to represent state at national encampment of G. A. R. at Saratoga, Sept. 1907 to consist of 4 appointees of Gov., Adjutant Gen., commander N. Y. dept. of G. A. R. and counsel to Gov.; \$35,000. 4§ '07 ch.401, 3 June
- c Wis. Register of deeds to file records of G. A. R. and of historical societies. Adds S.'98 §758. 1§ '07 ch.650, 15 July

2426

## Spanish War veterans

- a Mass. Extending certain privileges given Spanish War Veterans to United Spanish War Veterans; unauthorized use of insignia. 4§ '07 ch.232, 20 Mar.

## MUNICIPALITIES

2429

### Flag

See also 24, State flag; 252, Desecration of flag; 253, Foreign and anarchistic flags; 2236, School buildings

- a N. J. Flag day, June 14, to be observed in schools. 1§  
'07 ch.84, 17 Apr.

2430

### Local government

2432

### Municipalities

The usage of terms designating local bodies varies widely in different states. The word *municipality* is here used throughout in its original and strictest meaning to designate any *densely populated*, incorporated community; thus including cities, villages, boroughs, hamlets and "towns" (as a name for villages) but not including townships. Where the word *town* is used to designate the primary division of the county, it is grouped with township government, though in the case of the New England towns the nature of the government approaches more nearly that of a municipality than that of a western township.

- a Col. Powers of council of city of 2d class and bd. of trustees of town; sewers, pavements, mayor and police magistrate pro tem. in city of 2d class. 4§  
'07 ch.234, 22 Mar.
- b Ia. Towns and cities may pay dues in League of Ia. Municipalities and expense of delegates to meetings. 1§  
'07 ch.30, 1 Apr.
- c N. J. Giving Comm. on Mun. Govt. till next session to report. 2§  
'07 p.734, 7 May
- d N. M. Extending '84 ch.39 §6-7 rel. to fee ownership of streets and public places by municipalities and annexation of territory thereto, to all municipalities. 2§  
'07 ch.22, 16 Mar.
- e U. Amdg. R.S.'98 §2498 rel. to construction of statute: "city" may mean incorporated town. 1§  
'07 ch.72, 14 Mar.

2433

### State control of cities. Home rule

- a Minn. Amdg. R.L.'05 §748 rel. to home rule charters. 1§  
'07 ch.375, 24 Apr.

2438

### Organization. Powers generally

- a Ala. Amdg. C.'96 §2937 rel. to incorporation of town: 25 [50] freeholders [and householders] to sign petition. 1§  
'07 p.77, 11 Feb.
- b Ala. Legis. committee of 8 to prepare gen. mun. charter bill or bills. 6§  
'07 p.299, 6 Mar.
- ba Ala. Organization and govt. of cities and towns. 201§  
'07 p.790, 13 Aug.
- c Id. Amdg. '99 p.192 §73 rel. to powers of cities and villages. 2§  
'07 p.509, 15 Mar.
- d Ia. Organization and officers of municipalities: number of wards; composition of council; elective and appointive officers; bd. of public works in cities of 30,000; officers not to be interested in contracts nor use pass or frank of corp. using franchise in municipality. Amds. and rep. sundry sections of C. 19§  
'07 ch.26, 29 Mar.

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- e **Ia.** Cities of 25,000 to adopt comn. plan; organization; initiative and referendum; recall. 22§ '07 ch.48, 29 Mar.
- f **Kan.** Charter for cities of 2d class: comn. plan; adoptive. 27§ '07 ch.123, 25 Feb.
- g **Kan.** Charter for cities of 1st class; comn. plan; adoptive. 122§ '07 ch.114, 2 Mar.
- h **Minn.** Amdg. R.L.'05 §756 rel. to amdt. of mun. charter: to be published 30 days [4 weeks]. Rep. '05 ch.253. 2§ '07 ch.199, 15 Apr.
- h a **Minn.** Amdg. R.L.'05 §750 rel. to home rule charter bd.: expenses not to exceed \$500. 1§ '07 ch.216, 15 Apr.
- i **Mo.** Amdg. R.S.'99 §5261 rel. to organization of city. 1§ '07 p.93, 1 Apr.
- j **Neb.** Misc. amdt. to C.S. §1500-1628 rel. to cities of 5000-25,000. 15§ '07 ch.13, 15 Mar.
- k **Nev.** Incorpor. and classification of cities. 111§ '07 ch.125, 27 Mar.
- n **N. J.** Uniform charter for cities of 12,000-20,000; referendum. 116§ '07 ch.99, 23 Apr.
- p **N. Y.** Creating comn. to suggest legislation for revision of Greater New York charter to consist of mayor, comptroller and 7 appointees of Gov., 1 an alderman; report Dec. 1907. 3§ '07 ch.600, 17 July
- q **N. Y.** Amdg. village law '97 ch.414 §21, 326: incorp. of or annexation of territory to village deemed complete on receipt of certificate of Sec. of State. 2§ '07 ch.607, 18 July
- r **N. D.** Amdg. R.C.'05 §2740, 2769, 2778, 2780, 2782-83, 2798, 2815 rel. to govt. of cities. Adds §2770a; rep. §2779. 11§ '07 ch.46, 26 Feb.
- s **N. D.** Organization of incorporated city, village or town in territory embracing more than 1 county. 5§ '07 ch.266, 12 Mar.
- t **N. D.** Comn. system of govt. for cities adopting. 64§ '07 ch.45, 20 Mar.
- u **S. C.** When city surrenders charter to be incorporated under gen. law, officers are continued in office. Adds §1972a to C.C. 1§ '07 ch.282, 13 Feb.
- v **S. D.** Incorpor. of cities under comn. system. 137§ '07 ch.86, 12 Mar.
- w **Wash.** Additional powers for cities of 2d, 3d and 4th classes. 5§ '07 ch.228, 16 Mar.
- x **Wash.** Cities of 2d class. Rep. '90 p.131 §24-91. 73§ '07 ch.241, 18 Mar.
- y **Wis.** Providing election on petition of 10% of electors of special charter city to decide as to reorganization under gen. law. Adds S.'98 §925 subdiv.3m-o. 3§ '07 ch.230, 18 June
- z **Wis.** Rel. to cities: plat of boundaries; common council to fill vacancy in office of mayor; appointment by mayor to be confirmed by common council; double compensation of employee prohibited; bond on bidding for public work of; space between curb of street and sidewalk under jurisdiction of park comrs. Ad.ls S.'98 §925, sundry subdivs. 8§ '07 ch.493, 9 July

## MUNICIPALITIES

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- za **Wis.** Charter convention in city of 1st class Jan. 1908; political party allowed representative for each 1000 votes; election Nov. 1907; to present to next Legis. comprehensive home rule charter. 8§  
'07 ch.598, 12 July
- zb **Wy.** Prescribing additional powers for cities of 1st class. Amds. 20§ of R.S.'99; rep. 10§. 28§  
'07 ch.71, 20 Feb.

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### Special charters

- a **Cal.** Charter of city of Santa Monica; provides for initiative, referendum and recall. 160§  
'07 p.1007, 1 Feb.
- b **Cal.** Charter of city of Alameda; provides for initiative and referendum; recall and limitation of number of saloons to be submitted. 251§  
'07 p.1051, 7 Feb.
- c **Cal.** Charter of city of Santa Cruz; provides for initiative and referendum; recall to be submitted. 196§  
'07 p.1105, 12 Feb.
- d **Cal.** Amdg. charter of city of Eureka; initiative and referendum. 2§  
'07 p.1172, 25 Feb.
- e **Cal.** Charter of city of Long Beach; provides initiative, referendum, recall. 214§  
'07 p.1176, 26 Feb.
- f **Cal.** Amdg. generally charter of city of Vallejo; provides for recall. 47§  
'07 p.1245, 6 Mar.
- g **Cal.** Charter of city of Riverside; provides public utilities dept., initiative, referendum, recall. 267§  
'07 p.1277, 9 Mar.
- h **Col.** Declaring unconst. charter of city of Denver §182 providing that election contests be tried in County Court. Regulation of jurisdiction of state courts is exclusively in Legis. and not within scope of self-framed charter. *Williams v. People* 88 P. 463 (1907)
- i **Ct.** Rev. charter of city of New Britain. 42§  
'07 special acts ch.405, 11 July
- j **Ct.** Incorporating city of Orange. 98§  
'07 special acts ch.445, 31 July
- k **Ct.** Rev. charter of city of Bridgeport. 149§  
'07 special acts ch.461, 1 Aug.
- n **Fla.** City charters: Alachua, '07 ch.191, 7 May; Fort Pierce, ch.210, 3 June; Jasper, ch.216, 23 May; Key West, ch.217, 19 Apr.; Miami, ch.228, 27 May; Quincy, ch.249, 9 May; South Jacksonville, ch.256, 21 May; Wauchula, ch.260, 22 May.
- p **Ga.** City charters: Albany, '07 p.369, 22 Aug.; Bowman, p.438, 22 Aug.; Camilla, p.505, 19 Aug.; Eastman, p.566, 22 Aug.; Fitzgerald, p.609, 22 Aug.; Fort Valley, p.651, 22 Aug.; Hampton, p.682, 22 Aug.; Hazlehurst, p.713, 22 Aug.; Lyons, p.765, 7 Aug.; Rome, p.897, 22 Aug.; Springfield, p.923, 22 Aug.
- q **Ill.** New charter for Chicago; consolidation of local governing authorities; increased local autonomy. 101p. Rejected by popular vote Sept. 17, 1907.  
'07 p.85, 5 June
- r **Me.** Revising charter of city of Westbrook. 38§  
'07 private laws ch.257, 14 Mar.
- s **Neb.** Misc. amdots. to C.S.'05 ch.12a, charter for cities of metropolitan class (Omaha).  
'07 ch.4, 5, 6, 7, 8

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- t **N. Y.** City charters: Binghamton, '07 ch.751, 26 July; Jamestown, ch.387, 29 May; Newburgh, ch.203, 25 Apr.; amended, ch.591, 16 July; North Tonawanda, ch.752, 26 July; Port Jervis, ch.753, 26 July.
- u **N. C.** City charters: Charlotte, '07 private laws ch.342, 6 Mar.; Concord private laws ch.344, 8 Mar.; Raleigh private laws ch.1, 8 Mar.
- v **Tenn.** City charters: Bristol, '07 ch.180, 26 Mar.; Clarksville, ch.601, 15 Apr.; Columbia, ch.204, 3 Apr.; Jackson, ch.399, 13 Apr.; Knoxville, ch.207, 1 Apr.; Memphis, ch.184, 26 Mar.; Richard City, ch.194, 6 Apr.; Winchester, ch.13, 1 Feb.
- w **Vt.** City charters: Burlington, '06 ch.261, 15 Dec.; Rutland, ch.280, 19 Dec.
- x **W. Va.** City charters: Charleston, '07 ch.3, 26 Feb.; Chester, '07 (ex. sess.) ch.2, 28 Feb.; Logan, '07 (ex. sess.) ch.3, 6 Mar.; Moundsville, '07 ch.8, 4 Feb.; Parsons, '07 ch.6, 25 Feb.; Wheeling, '07 ch.11, 14 Feb.

2439

### Annexation and exclusion of territory

*See also 2443*

- a **Ala.** Extension of limits of cities of 400 or over; election in territory affected; adjustment of rights affected. 11§ '07 p.604, 13 Mar.
- aa **Ala.** Providing for extension of corporate limits of city of 25,000. 22§ '07 p.604, 13 Aug.
- b **Ari.** Amds. R.S.'01 §509 rel. to extending corporate limits of cities. 2§ '07 ch.26, 12 Mar.
- c **Ark.** Amdg. S.'04 §5523 rel. to filing plat of real estate added to municipality: duties of circuit and county clerks; property not to be sold before filing; penalties. 6§ '07 ch.306, 13 May
- d **Id.** Amdg. '05 p.392 §2: survey of territory annexed to city. 1§ '07 p.309, 13 Mar.
- e **Ind.** Vacation of plats without corporate limits and disannexation from cities and towns. 13§ '07 ch.279, 12 Mar.
- f **Minn.** Annexation of territory to city of 10,000 to 20,000. 12§ '07 ch.168, 12 Apr.
- g **Minn.** Separation from city under 10,000 of unplatted agric. land of 40 acres. 4§ '07 ch.221, 17 Apr
- h **Minn.** Annexation by city of 10,000 to 20,000 of contiguous land part of state institution at request of State Bd. of Control. 3§ '07 ch.349, 23 Apr
- i **Mo.** Amdg. R.S.'99 §6055: County Court authorized to exclude territory from town on application of owner and petition of majority of taxpayers. 1§ '07 p.109, 20 Mar.
- j **N. Y.** Amdg. village law '97 ch.414 §21, 326: incorp. of or annexation of territory to village deemed complete on receipt of certificate of Sec. of State. 2§ '07 ch.607, 18 July
- k **N. D.** Amdg. R.C.'05 §2825: authorizing annexation of territory separating noncontiguous parts of city without platting. 1§ '07 ch.47, 12 Mar.
- n **N. D.** Amdg. R.C.'05 §2894: annexation to village of land separated by unplatted strip. 2§ '07 ch.263, 19 Mar.



## MUNICIPALITIES

2439

- p **Pa.** Amdg. '03 ch.183 §1 rel. to annexation of territory by boroughs and incorporated towns: may be in another county. 2§  
'07 ch.20, 21 Mar.
- q **Pa.** Court of Quarter Sessions may detach land from borough and annex to adjacent township on petition of majority of freeholders of borough or of freeholders on boundary line. 5§ '07 ch.203, 28 May
- r **Pa.** Preservation of rights of creditors and liens and funding debt of territory annexed to city under '03 ch.260. 1§ '07 ch.271, 1 June
- s **Wash.** Annexation of unincorporated territory to city of 1st class. 6§  
'07 ch.245, 19 Mar.
- t **Wis.** Amdg. S.'98 §925 subdiv.18 rel. to annexation of territory by city. 1§  
'07 ch.124, 22 May

2440

### Boundaries

- a **Pa.** Rep. '91 ch.54 rel. to boundaries of cities of 3d class. 1§  
'07 ch.208, 28 May
- b **U.** Defining boundary of Ogden. 2§  
'07 ch.87, 14 Mar.
- c **Wis.** Amdg. S.'98 §854 rel. to incorp. as village of territory lying in 2 or more adjoining counties. 1§  
'07 ch.17, 20 Mar.

2442

### Classification of cities

- a **N. Y.** Amdg. Const. 1894 art.12 §2 rel. to classification of cities: 1st class comprises cities of 175,000 [250,000] or more; 2d class, 50,000 to 175,000 [250,000]; 3d class, under 50,000. Adopted Nov. 1907.  
'06 p.1896, 2 May; '07 p.2503, 5 Mar.
- b **Wash.** Amdg. Ballinger's Ann. C.& S.'97 §715: mun. census to determine right to be reorganized in higher class. 1§ '07 ch.248, 19 Mar.

2443

### Consolidation

*See also 2439*

- a **Ala.** Disposition of property and liabilities of mun. corp. absorbed by another. 7§  
'07 p.913, 13 Aug.
- b **Ala.** Providing for annexation of contiguous towns and cities. 15§  
'07 p.598, 15 Aug.
- c **Ark.** Consolidation; petition; ordinance; election; new wards; representation in council; debts. Rep. S.'04 §5522. 6§  
'07 ch.154, 9 Apr.
- d **Wash.** Amdg. '90 p.131 §10 rel. to consolidation of municipalities. 1§  
'07 ch.237, 18 Mar.

2444

### Incorporation. Dissolution

- a **Ari.** Amdg. R.S.'01 §599: confirming incorp. of municipalities incorporated under such section. 3§  
'07 ch.18, 5 Mar.
- b **Ari.** "An act to provide for incorp. of cities and towns." 162§  
'07 ch.98, 21 Mar.
- c **Id.** Amdg. '03 p.216 rel. to organization of village into city of 2d class: where no election has been held trustees to ascertain number of electors. 1§  
'07 p.217, 12 Mar.

2444

- d **Ill.** Amdg. '72 p.267 §8 rel. to change of name of city, town or village: acts done under name illegally adopted *not* void *if valid under old name.* 2§ '07 p.84, 13 May
- e **Kan.** Township bd. to take control of property of dormant city; on petition of 20 citizens, election to be called to revive city organization. 2§ '07 ch.102, 9 Mar.
- f **Minn.** Amdg. R.L.'05 §700-1, 704 rel. to incorp. of villages. 3§ '07 ch.255, 19 Apr.
- g **Minn.** Amdg. R.L.'05 §700 rel. to incorp. of villages. 1§ '07 ch.270, 20 Apr.
- h **Pa.** Amdg. '89 ch.247 art.1 §1 rel. to charter elections for cities of 3d class: Court of Quarter Sessions to submit proposition to be voted on at next gen. election; to be printed on official ballot. 2§ '07 ch.59, 15 Apr.; '07 ch.205, 28 May
- i **W. Va.** Amdg. '01 ch.41 §2 rel. to incorp. of towns, cities and villages: Circuit Court may forfeit charter if corporate powers be not used for year, or where less than 20 voters or 75 inhabitants. 1§ '07 ch.54, 25 Feb.
- j **Wis.** City whose population has fallen under 1000 may become village by  $\frac{2}{3}$  vote of electors. Adds S.'98 §927m. 1§ '07 ch.421, 26 June

2446

### Liability for injuries

*See also* 471, Torts; 2728, Roads

- a **Ind.** Municipality not liable for damages resulting from defective highways and bridges unless written notice be given within prescribed time. 1§ '07 ch.153, 9 Mar.
- b **S. D.** To bring action against municipality for personal injury notice of injury must be filed within 60 days and action commenced within 2 years. 2§ '07 ch.90, 7 Mar.

**Town sites, see** 390, Plats, town sites

2454

### Wards

- a **N. D.** Council may redistrict city into wards to equalize population. 1§ '07 ch.48, 13 Mar.
- b **Pa.** Territory annexed to city to be erected into wards by decree of Court of Quarter Sessions. 1§ '07 ch.223, 28 May
- c **S. D.** Amdg. P.C. §1426: trustees of incorporated town to redistrict on petition of  $\frac{1}{2}$  of electors. 1§ '07 ch.241, 6 Mar.

2455

### Legislative body. Council

- a **Ari.** Amdg. R.S.'01 §539: election for council of incorporated town 4th Monday in May [1st Monday in Apr.]. 2§ '07 ch.39, 18 Mar.
- b **Ia.** Amdg. C. §68 subdiv.16 rel. to duties of council in cities of 1st class: made applicable to cities of 2d class. 1§ '07 ch.28, 26 Mar.
- c **Minn.** Amdg. '05 ch.8 §114: city council to canvass returns of city elections [and be judge of election and qualifications of its own members]. 1§ '07 ch.274, 20 Apr.

## MUNICIPALITIES

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- d **N. J.** Declaring unconst. '92 ch.66 providing for election of president of common council in cities of 2d class. Special act regulating internal affairs of cities.

Seymour v. City of Orange 65 A. 1033 (1907)

- e **N. Y.** Amdg. Greater New York charter rel. to aldermanic districts. 2§

'07 ch.763, 30 July

- f **N. D.** Amdg. R.C.'05 §2864 rel. to powers of village trustees. 2§

'07 ch.268, 13 Mar.

2460

### Salaries

- a **Minn.** Salary of mayor \$4000, of alderman \$1200 in certain cities over 50,000. 2§

'07 ch.98, 4 Apr.

- b **Minn.** Salary of members of common council of city of 50,000, \$300 to \$1200. 2§

'07 ch.284, 22 Apr.

2461

### Terms

- a **Wis.** Amdg. '05 ch.233 §1 rel. to terms of officers of cities of 2d, 3d and 4th classes: common council may prescribe that half its number be elected annually. 1§

'07 ch.7, 13 Mar.

2462

### Vacancies

- a **Pa.** Courts of Common Pleas may vacate office of alderman or justice of peace on failure to reside and maintain office in district; Gov. to fill vacancy. 3§

'07 ch.196, 25 May

2463

### Ordinances

2465

### Enactment

- a **N. J.** Amdg. '02 ch.107 §11 rel. to passage of ordinances by governing body of city. 1§

'07 ch.172, 13 May

2466

### Enforcement

- a **Mo.** Amdg. R.S.'99 §5793 rel. to prosecution of violation of ordinance of city of 3d class. 2§

'07 p.97, 19 Mar.

- b **N. J.** Enforcement of ordinances of incorporated town in local courts; procedure. 3§

'07 ch.194, 15 May

2467

### Publication and compilation

- a **Ia.** Amdg. C. §776 rel. to publication of questions submitted to voters of cities and towns. 1§

'07 ch.39, 15 Mar.

- b **S. D.** Amdg. P.C. §1229 subdiv.34 rel. to powers of city councils: may enter gambling house and destroy paraphernalia; regulate traffic in liquor consistently with state law; compile ordinances every 5 years. Adds subdiv. 82, 83. 3§

'07 ch.94, 20 Feb.

2468

### Mayor

- a **N. J.** Incorporated towns to elect councilman at large to be called mayor; 2 year term; duties. 2§

'07 ch.63, 13 Apr.

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- b S. D. Amdg. P.C. §1182: in cities of 1st and 2d class president of city council to fill vacancy in office of mayor [special election if occurring 3 months before expiration of term]. 2§ '07 ch.89, 1 Mar.
- c Wis. In city of 2d, 3d or 4th class council to fill vacancy in office of mayor. Adds S.'98 §925-40m. 1§ '07 ch.12, 18 Mar.

2469

## Salary

- a Minn. Salary of mayor \$4000, of alderman \$1200 in certain cities over 50,000. 2§ '07 ch.98, 4 Apr.
- b Minn. Salary of mayor of certain cities of 50,000, \$5000. 2§ '07 ch.370, 23 Apr.
- c N. J. Salary of mayor in city of 75,000-125,000, \$2000; in effect when adopted by common council. 1§ '07 ch.145, 8 May
- d Pa. Amdg. '05 ch.85 rel. to salary of chief burgess of boroughs. 1§ '07 ch.54, 15 Apr.

2473

## Municipal civil service

See also 2588, Financial officers. Laws relating to election, salary etc. of a particular officer are classified under the name of the officer.

- a Mo. Officers of special charter municipality; terms. Adds R.S. '99 §6336a-b. 2§ '07 p.110, 1 Apr.
- b Pa. Civil service comns. in cities of 2d class. 29§ '07 ch.167, 23 May
- c Wis. Amdg. S.'98 §925 subdiv.6 rel. to terms of office of officials on city reincorporating under gen. law. 1§ '07 ch.101, 15 May

2474

## Appointments. Election

- a Col. Amdg. '01 ch.105 §1 rel. to election and appointment of officers in city of 2d class. 2§ '07 ch.235, 6 Mar.
- b Wis. Amdg. S.'98 §925 subdiv.25 as to what officers in city of 4th class shall be elected or appointed. 1§ '07 ch.604, 12 July

2477

## Salaries. Fees

- a Ala. Salary of mayor of city of 25,000 not to exceed \$5000; of other officers to be fixed by council; city officers not to be employed by corp. holding street franchise. 2§ '07 p.471, 7 Mar.
- b N. M. Classification of counties according to taxes collected; compensation of assessors, county treasurers and ex officio collectors based on such classification. 6§ '07 ch.45, 18 Mar.
- c N. Y. Amdg. village law '97 ch.414 §339g: president's salary not to exceed \$600 [\$1200]; trustees' \$300. 1§ '07 ch.38, 12 Mar.
- d Wis. City of 1st class may fix salaries of officers. 1§ '07 ch.309, 21 June
- e Wy. Amdg. R.S.'99 §1674 rel. to salaries of officers of cities of 2d class. 1§ '07 ch.85, 20 Feb.

2478

## Tenure of office. Discipline

- a Cal. Amdg. generally charter of city of Vallejo; provides for recall. 47§ '07 p.1245, 6 Mar.

## COUNTY AND TOWNSHIP

2478

- b **Ia.** Making C. t.6 ch.8 rel. to removal of mun. officers applicable to special charter cities. 1§ '07 ch.53, 22 Feb.
- c **N. J.** In city of 1st class term of office of appointees of mayor to expire with his term. 2§ '07 ch.267, 11 Oct.  
Same; treasurer and comptroller excepted. 2§ '07 ch.283, 28 Oct.

2480

### Special officers

- a **Ari.** Amdg. R.S.'01 §498-99 rel. to number and duties of officers and duties of justices of the peace in cities casting less than 600 votes. 3§ '07 ch.62, 21 Mar.
- b **Ind.** Amdg. '05 ch.129 §158: salary of Comr. of Public Safety in cities of 1st class \$1200 [\$600]. 1§ '07 ch.111, 7 Mar.
- c **Kan.** Cities of 2d and 3d classes may combine offices of marshal and street comr. 1§ '07 ch.138, 21 Feb.
- d **S. D.** Amdg. P.C. §1431, 1456 rel. to officers of incorporated town: marshal abolished; overseer of highways *appointed by trustees* [elected]. 2§ '07 ch.243, 9 Mar.
- e **Vt.** Extending to incorporated villages provisions of '04 ch.76 rel. to election and duties of tree wardens in towns. 1§ '06 ch.99, 21 Nov.

2482

### Attorney

- a **Id.** Amdg. '99 p.192 §6: mayor of city of 2d class may appoint city atty. [clerk]. 1§ '07 p.307, 13 Mar.
- b **Ind.** In cities of 1st class head of law dept. to be known as corp. counsel; 1st assistant as city atty.; 2d assistant as assistant city atty. 1§ '07 ch.109, 7 Mar.
- c **Pa.** Borough solicitor to be elected by council. 3§ '07 ch.87, 25 Apr.
- d **Wis.** Amdg. S.'98 §959 subdiv.70: council of city [of 2d to 4th classes] may employ assistant city atty. 1§ '07 ch.135, 23 May
- e **Wis.** District atty., city atty. or judge not to be retained by common carrier or other public utility corp.; exceptions; penalty forfeiture of office. Adds S.'98 §4552m. 1§ '07 ch.542, 10 July

2484

### Clerk

- a **N. J.** Clerical assistance in office of clerk of cities of 1st class. 2§ '07 ch.11, 26 Mar.
- b **Pa.** Select and common councils of cities of 3d class to elect city clerk; powers and duties. 3§ '07 ch.9, 7 Mar.

2492

## County and township government

☐ **See also** specific functions of counties and towns; Roads, Charities, Drainage etc.

- a **Cal.** Amdg. P.C. §3902: counties to be legal subdivisions of state. 1§ '07 ch.273, 16 Mar.
- b **Cal.** Revising P.C. pt.4 t.2 rel. to uniform system of county and township govts. 310§ '07 ch.282, 18 Mar.

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- c **Ct.** Members of Gen. Assembly from county to have gen. supervision of its affairs except as to liquor licenses. 2§  
'07 ch.5, 8 Mar.

2493

## Boundaries

- a **U.** Amdg. R.S.'98 §487: *State Engineer* [surveyor of another county] and surveyors of counties interested to determine boundary dispute. 1§  
'07 ch.82, 14 Mar.

2495

## County seats

- a **Ala.** Amdg. '03 p.188 §17 rel. to change of county seat: offices to remain at old site till buildings at new site are completed. 1§  
'07 p.251, 2 Mar.
- b **Cal.** Amdg. P.C. §3976, 3981, 3985 rel. to changing county seats: petition for election to be signed by *majority* [%] of electors; may be changed from time to time [not within 4 years]. Adds §3975b; rep. §3977. 5§  
'07 ch.221, 15 Mar.
- c **N. M.** Amdg. '03 ch.38: *sheriffs, treasurers and probate clerks* [all county officers] to have office at county seat *if provided by county; penalty summary removal by district judge.* 3§  
'07 ch.87, 21 Mar.
- d **N. D.** Amdg. R.C.'05 §2361, 2364: election for county seat not to be held oftener than once in 10 [4] years. 2§  
'07 ch.61, 14 Mar.

2497

## County records

*See also* 396, Conveyance; 2522(5), Recorder

- a **Ark.** Records and tax books for county having 2 county sites. 7§  
'07 ch.190, 17 Apr.
- b **Ia.** Amdg. C. §2935 rel. to indexes to be kept by county recorder. 1§  
'07 ch.158, 13 Apr.
- c **Kan.** State historical society to furnish transcripts when county records are destroyed or lost. 2§  
'07 ch.168, 15 Feb.
- d **Me.** Amdg. '05 ch.139 §15: index of register of deeds to show date of instrument. 1§  
'07 ch.144, 26 Mar.
- e **Mass.** Records of registers of deeds and of probate and insolvency may be attested by volume; facsimile of signatures of register of deeds and recorder of land court valid; exceptions. 3§  
'07 ch.225, 20 Mar.
- f **Nev.** To restore county records lost or destroyed. 12§  
'07 ch.67, 14 Mar.
- g **N. M.** Special tax levy to pay for copying records affecting new county. 2§  
'07 ch.28, 16 Mar.

2498

## New counties. Consolidation. Division

- a **Ala.** Submitting amdt. to Const. 1901 adding art.19: formation of new counties. 2§. Vote Nov. 1908.  
'07 p.628
- b **Cal.** Erection of new counties. 18§  
'07 ch.227, 15 Mar.
- c **N. D.** Amdg. R.C.'05 §2330 rel. to formation of new county. 2§  
'07 ch.62, 8 Mar.
- d **N. D.** Formation of new county in unorganized territory. 7§  
'07 ch.63, 8 Mar.

## COUNTY AND TOWNSHIP

2498

- c **N. D.** Amdg. R.C.'05 §2329 rel. to petition for election to form new county. 1§ '07 ch.60, 19 Mar.
- f **N. D.** Rep. R.C.'05 §2297-2321: "conflicting laws for organization of counties." 1§ '07 ch.59, 20 Mar.
- g **S. D.** Formation of new county out of old one by vote of electors of latter. 4§ '07 ch.100, 1 Mar.
- h **U.** Submitting amdt. to Const. 1895 art.11 §3: Legis. may erect new counties from old ones [on vote of counties affected]. 4§. Vote Nov. 1908. '07 p.273, 25 Mar.

2499

### Printing

*See also 73, Public and legal advertising*

- a **Wash.** Amdg. Ballinger's Ann. C.& S.'97 §371 rel. to public printing in county. 1§ '07 ch.229, 16 Mar.

2501

### Governing body

- a **Id.** Amdg. R.S.'87 §875, 877 rel. to county comrs.: meetings; powers as to roads. 2§ '07 p.163, 5 Mar.
- b **Minn.** Composition and proceedings of bds. of county comrs. of counties from which territory is detached. 5§ '07 ch.5, 29 Jan.
- c **S. C.** Chairmen of bds. of township comrs. may administer oaths in conduct of office. 1§ '07 ch.308, 19 Feb.
- d **S. C.** Term of county officers, except those appointed by Gov., to commence 1st Tuesday in Jan. 2§ '07 ch.257, 20 Feb.

2503

### Clerk

- a **Wy.** County clerks to issue certificates of selection and relinquishment of state and school lands required by Land Comrs. without fee. 1§ '07 ch.43, 15 Feb.

2504

### Election. District. Vacancies. Number. Term

- a **Fla.** Amdg. G.S.'06 §270: county comrs. and members of bd. of public instruction to be nominated by districts instead of county at large. 1§ '07 ch.102, 3 June
- b **Ind.** Amdg. '99 ch.154 §5, 21: county council to fill vacancies in its number *within 10 days* [at 1st regular meeting]; ordinances at special meetings appropriating over \$3000 to be read on 2 successive days. 2§ '07 ch.195, 9 Mar.
- c **Minn.** County with 4 comrs. to have 5. Rep. '75 ch.82. 3§ '07 ch.38, 13 Mar.
- d **N. D.** Amdg. R.C.'05 §429: appointee to county bd. of comrs. to hold office till successor qualifies. 1§ '07 ch.66, 13 Mar.

2505

### Meetings

- a **Ia.** Amdg. C. §412 rel. to time of meeting of bd. of supervisors. 1§ '07 ch.14, 5 Apr.

2509

### Reports. Records

- a **Fla.** County comr. to keep book of expenditures in district; to be open to public inspection; penalty. 4§ '07 ch.101, 3 June
- b **Minn.** Amdg. R.L.'05 §428 rel. to designation of newspaper to publish proceedings of county bds. 1§ '07 ch.447, 25 Apr.

2510

**Salaries. Fees**

- a Ari. Amdg. R.S.'01 §2638: salaried officers of county to file statement of fees received with *clerk of bd. of supervisors* and county treasurer; *embezzlement to neglect to pay fees to treasurer when filing statement.* 2§ '07 ch.15, 5 Mar.
- b Ari. Amdg. R.S.'01 §2627 rel. to salaries of county supervisors. 2§ '07 ch.44, 18 Mar.
- c Cal. Submitting amdt. to Const. 1879 art.11 §5: Legis. may fix fees of county officers; also of jurors graded according to class of county, not to exceed \$3 per day. 1§. Vote Nov. 1908. '07 p.1276, 8 Mar.
- d Fla. Amdg. G.S.'05 §775: compensation of county comrs. \$4 [\$2] per day; *maximum amount graded according to population.* 2§ '07 ch.100, 3 June
- e Ia. Amdg. C. §469 rel. to compensation of county supervisors. 1§ '07 ch.21, 15 Mar.
- f Mich. Amdg. C.L.'97 §2503 rel. to compensation of supervisors: allowed for 3 days of special session. 1§ '07 ch.319, 28 June
- g Minn. Amdg. R.L.'05 §423 rel. to salaries of county comrs. 1§ '07 ch.204, 15 Apr.
- h Minn. In county of 35,000 to 75,000 county comrs. to receive \$3 per day and 10c mileage while on committee work; 10c mileage for not to exceed 12 regular meetings. 1§ '07 ch.296, 22 Apr.
- i S. C. Compensation of county officers of various counties. 45§ '07 ch.270, 18 Feb.
- j Wis. Amdg. S.'98 §668 rel. to compensation of member of county bd. doing committee work. 1§ '07 ch.14, 20 Mar.

2512

**County civil service**

*See also 2588, financial officers. Laws relating to election, salary etc. of a particular officer are classified under the name of the officer.*

- a Minn. Salaries and duties of officers of county of 275,000. 24§ '07 ch.372, 23 Apr.
- b Mon. County comrs. may increase in their discretion number of deputies to any county officer. 2§ '07 ch.178, 9 Mar.
- c U. Within 10 days after issuing certificates of election county clerk to certify names of elected county officers, except justice of peace and constable, to Sec. of State; latter to keep same in book. 3§ '07 ch.137, 23 Mar.

2513

**Appointment. Election**

- a N. M. Vacancy in county office, except county comrs. to be filled by comrs. Rep.'01 ch.2. 3§ '07 ch.6, 28 Feb.

2517

**Salaries. Fees**

- a Col. Submitting amdt. to Const. 1876 art.14 §15: Legis. to fix compensation of county, precinct *and other* officers. 3§. Vote Nov. 1908. '07 ch.180, 3 Apr.



## COUNTY AND TOWNSHIP

2517

- b **Del.** Amdg. '05 ch.60 §7,9 rel. to salaries of certain county officers and their deputies: to be paid on warrant of levy court. 3§  
'07 ch.87, 29 Jan.
- c **Del.** Amdg. '05 ch.60 §2,8 which fixed compensation of certain county officers in lieu of fees: payment of fees to county treasurer to be made *before 15th* [1st secular day] of month. 3§ '07 ch.85, 18 Feb.
- d **Del.** Prohibiting increase in compensation of state or county officer during incumbency unless duties be increased by Legis. 1§  
'07 ch.78, 1 Mar.
- e **Ill.** Amdg. '72 p.420 §51,52 rel. to accounts and reports of county officers paid in whole or in part by fees; uniform accounts; audit. 2§  
'07 p.316, 19 Apr.
- f **Neb.** Amdg. C.S.'05 §3531 rel. to excess fees and compensation of county officers. 2§  
'07 ch.57, 6 Apr.
- g **Wash.** Fees of state and county officers, witnesses and jurors. Rep. '93 ch.130. 11§  
'07 ch.56, 2 Mar.
- h **Wash.** Amdg. '90 p.305 §4-7 rel. to salaries of certain county officers. 4§  
'07 ch.204, 15 Mar.
- i **Wis.** Amdg. S.'98 §694: county bd. may change compensation of officer from fee system to salary. 1§  
'07 ch.376, 24 June

2518

### Tenure of office. Discipline

- a **Ct.** Terms of county comrs. and treasurers. 2§  
'07 ch.128, 12 June
- b **Ind.** Declaring unconst. '01 ch.182 fixing beginning of terms of "county clerks" in so far as it affects clerks of Circuit Courts. Latter constitutional designation of office. *Taylor v. State* 80 N. E. 849 (1907)

2519

### Special officers

- a **Nev.** Office hours of certain county officers; penalty for non-compliance. 3§  
'07 ch.178, 29 Mar.
- b **N. Y.** Bd. of supervisors may appoint and fix compensation of county atty.; term 2 years. 1§  
'07 ch.280, 4 May

2521

### Clerk

- a **Col.** Amdg. Ann. S.'91 §1900 rel. to county clerk's fees. 2§  
'07 ch.182, 1 Apr.
- b **Col.** Amdg. '02 ch.3 §143: county clerk to transmit to State Auditor copy of statement of state revenue within 30 days after settlement between county comrs. and county treasurer; forfeiture of \$5 per day. 1§  
'07 ch.210, 3 Apr.
- c **Kan.** Salary of county treasurer, in counties of over 50,000, \$3000; clerk hire, \$3500. 1§  
'07 ch.209, 5 Mar.
- d **Wy.** Where water users associations furnish for record use printed form books of contracts and subscription to stock, fee of county clerk to be 10c for each 100 words actually written or typewritten therein. 1§  
'07 ch.20, 13 Feb.

2522(5)

*Recorder. Register of deeds*

- a **Ari.** Amdg. R.S.'01 §2616 rel. to appointment and salaries of deputy recorders. 2§ '07 ch.35, 14 Mar.
- b **Ari.** Amdg. R.S.'01 §2615 rel. to salaries of county recorders. 2§ '07 ch.63, 21 Mar.
- c **Ill.** Amdg. '72 p.420 §31: salary of recorder of deeds of Cook county to be \$9000; fees to be turned into county treasury. 1§ '07 p.321, 11 May
- d **Ia.** Amdg. '04 ch.21 §1 rel. to compensation of county recorders. 1§ '07 ch.22, 10 Apr.
- e **Me.** Amdg. '05 ch.173 §1 rel. to compensation of registers of deeds of various counties. 1§ '07 ch.177, 28 Mar.
- f **Minn.** Amdg. R.L.'05 §390 rel. to compensation of register of deeds for transcript of records of real estate transferred to another county. 1§ '07 ch.136, 10 Apr.
- g **Minn.** Amdg. R.L.'05 §2706 rel. to fee of register of deeds in county of 20,000 to 75,000. 1§ '07 ch.256, 19 Apr.
- h **Neb.** Amdg. C.S.'05 §2455 rel. to register of deeds: fees in counties of over 125,000. 2§ '07 ch.34, 6 Mar.
- i **N. Y.** Amdg. statutory construction law '92 ch.677 §21: term county clerk used in connection with conveyances of real property to include county register. 1§ '07 ch.300, 6 May
- j **N. D.** Amdg. R.C.'05 §2596 rel. to clerk hire for office of register of deeds. 1§ '07 ch.69, 13 Mar.
- k **U.** Amdg. R.S.'98 §973 rel. to fees of county recorder. 1§ '07 ch.61, 14 Mar.
- n **Wis.** Register of deeds to file records of G. A. R. and of historical societies. Adds S.'98 §758. 1§ '07 ch.650, 15 July

2523

*Surveyor. Engineer*

*See also 386, Property lines*

- a **Mo.** Amdg. R.S.'99 §10196: county surveyor *must* [may] be allowed reasonable allowance for certified copy of official field notes. 1§ '07 p.445, 6 Mar.
- b **N. C.** Amdg. Revisal '05 §1726: county surveyor to record survey in 60 [10] days after completion. 2§ '07 ch.579, 5 Mar.
- c **N. D.** Amdg. R.C.'05 §2612 rel. to fees of county surveyor: for surveying county road \$4 [\$3] per day. 1§ '07 ch.73, 14 Mar.
- d **N. D.** Election of county surveyor; surveys; records. 13§ '07 ch.72, 19 Mar.
- e **S. D.** Amdg. P.C. §1840 rel. to fees of county surveyor: \$4 [\$3] per day; \$5 [\$3] when surveying roads. 2§ '07 ch.237, 5 Mar.
- f **S. D.** Amdg. P.C. §1496 rel. to filing town plats: county surveyor to receive \$5 for examining, accepting and transcribing each. 2§ '07 ch.238, 9 Mar.
- g **Wash.** County surveyor to be known as county engineer; inspection of roads and bridges; records; compensation. Rep. Ballinger's Ann. C.& S.'97 §490-91. 7§ '07 ch.160, 13 Mar.

## COUNTY AND TOWNSHIP

2526

### Townships. Towns

Under this head are included governments that constitute the primary division of the county. In the New England states and in New York and Wisconsin towns are primary divisions of the county and are classed here; in many states they are densely populated incorporated communities and are classed with municipalities. In Illinois and Minnesota the primary division of the county is called both "town and township" and in Illinois there are besides a number of incorporated towns.

- a **Me.** Amdg. R.S.'03 ch.23 §41 rel. to powers and liabilities of plantations respecting ways. 1§ '07 ch.106, 22 Mar.
- b **Minn.** County comrs. may change name of town on petition of 55% of voters. 2§ '07 ch.88, 3 Apr.
- c **Minn.** Township having platted area containing 1200 inhabitants to have powers of village of 4th class contained in certain sections of R.L. 1905. 1§ '07 ch.397, 8 Apr.  
Same: additional sections of R.L. 1905 enumerated. 1§ '07 ch.193, 15 Apr.
- d **Pa.** Amdg. '99 ch.86 §1 rel. to classification of townships: 1st class, 300 [250] to square mile; others 2d class. 1§ '07 ch.230, 29 May
- e **Tex.** Submitting amdt. to Const. 1876 art.5 §18: county may be redistricted into comrs. precincts *as may be provided by law*. 2§. Vote Nov, 1908. '07 p.416
- f **Wis.** Compilation of laws in force rel. to towns; 10,000 copies, 5 for each town; sale of remainder. 5§ '07 ch.476, 9 July

2527

### Records

- a **Vt.** Amdg. S. §3007 rel. to transcripts of town records. 1§ '06 ch.95, 21 Nov.

2531

### Meetings. Elections

- a **Ia.** When township is created in year of no gen. election county supervisors to call special election. 1§ '07 ch.49, 20 Mar.
- b **N. Y.** Amdg. town law '90 ch.569 §24: clerk to post notice of special town meeting 20 [10] days before *and publish in 2 newspapers in town once per week for 2 weeks*. 1§ '07 ch.363, 27 May
- c **Vt.** Amdg. S. §2973: warning of town meeting to be 12 to 20 days in advance *and published 2 weeks*. 1§ '06 ch.91, 30 Oct.
- d **Wis.** Powers of town meeting. Adds. S.'98 §776 subdiv.15. 1§ '07 ch.239, 19 June

2533

### Boards. Officers

Laws relating to election, salary, etc., of a particular officer are classified under the name of the officer.

- a **Ct.** Town officers may be elected biennially; town treasurer to be treasurer of town deposit fund. 3§ '07 ch.227, 27 July
- b **Minn.** After annual meeting town clerk to report to auditor of county names, addresses and terms of officers elected. 1§ '07 ch.26, 1 Mar.

2533

c U. Amdg. R.S.'98 §302 rel. to powers of bd. of trustees of town.  
1§ '07 ch.117, 14 Mar.

d Vt. Amds. S. §2980: towns may elect tree warden; fence viewers,  
poundkeeper, surveyor of wood and inspector of lumber and shingles  
to be appointed by selectmen instead of being elected. 1§

'06 ch.92, 13 Nov.

e Wis. Amdg. S.'98 §819: town bd. to sue for penalties, damages  
or moneys due town. 1§ '07 ch.55, 23 Apr.

2535

*Salaries. Fees*

a Mich. Amdg. C.L.'97 §2374 rel. to compensation of township  
officers. 1§ '07 ch.98, 22 May

b Minn. Compensation of supervisors of towns of over 40 sec-  
tions limited to \$60 per year. 1§ '07 ch.316, 23 Apr.

c S. D. Amdg. P.C. §1092 rel. to fees of town officers: clerks and  
supervisors to receive \$2.50 [\$1.50] per day in town, \$3 [\$2] outside;  
right of electors to change taken away. 2§ '07 ch.150, 5 Feb.

2536

*Tenure of office*

a N. D. Rep. R.C.'05 §3111, conflicting law rel. to terms of town-  
ship officers. 1§ '07 ch.256, 19 Mar.

b Pa. Court of Quarter Sessions may remove township officer on  
complaint of 25 freeholders after hearing; may appoint successor; in  
case of neglect of roads may appoint 3 persons to investigate. 2§

'07 ch.23, 22 Mar.

2538

*Special officers*

See also 2588, Financial officers

2540

CLERK

a Ind. Amdg. '05 ch.129 §27: town clerk to have casting vote on  
town bd. 1§ '07 ch.33, 21 Feb.

b Ia. Amdg. C. §591 subdiv.2: township clerk to receive 2 [5]%  
of money received by him. 1§ '07 ch.25, 15 Mar.

2542

GOVERNING BOARD

a Me. Amdg. R.S.'03 ch.9 §89: selectman acting as assessor to  
receive \$2.50 [\$1.50] per day. 1§ '07 ch.184, 28 Mar.

b Minn. Amdg. '05 ch.243 §928: supervisors of newly organized  
town to serve till following annual election only; thereafter 1 to be  
elected each year for term of 3 years. 1§ '07 ch.103, 4 Apr.

c Neb. County bd., on petition to submit question of election of  
township supervisors; election and duties of supervisors; discontinu-  
ance of supervisor system. 11§ '07 ch.40, 8 Apr.

d S. D. Township bd. of supervisors may meet in city within  
but not under control of township. 2§ '07 ch.242

## LOCAL FINANCE

2550

### Local finance

Only the *purely* financial matters are here placed. Authorization of taxes, assessments, bonds, etc. for special municipal purposes—schools, libraries, streets, etc. are classified under these heads. They are however also *indexed* under Taxes, etc. Miscellaneous provisions as to assessment and collection of taxes in local bodies are under Taxation, as such provisions usually apply to all classes of taxes. *See* particularly 2237, School finance.

2552

### Property

- a N. D. Division of funds and property of township and village on organization of latter. 1§ '07 ch.264, 14 Mar.

2553

### Lands. Purchase. Sale. Lease

- a Minn. Amdg. R.L.'05 §409: sale or lease of real property of county to be published 30 days before vote; mineral rights to be reserved. 1§ '07 ch.310, 23 Apr.
- b Mo. Municipality may sell common annexed to it. 2§ '07 p.91, 21 Mar.
- c N. M. Control of community land grants; bds. of trustees; election, proceedings, duties. 19§ '07 ch.42, 18 Mar.
- d Pa. Amdg. '03 ch.64 §1: cities may acquire land for workhouses, poorhouses, incinerating furnaces, sewer disposal works. 1§ '07 ch.10, 14 Mar.

2554

### Eminent domain

- a N. J. Cities may condemn land for public purposes. 2§ '07 ch.151, 10 May
- b Tenn. Amdg. C.'96 t.8 ch.9 so as to give every county power of eminent domain. 2§ '07 ch.581, 15 Apr.
- c Tenn. County authorized to build bridge may condemn land and riparian rights. 5§ '07 ch.583, 15 Apr.

2555

### Buildings and grounds

- a Ind. Declaring unconst. '99 ch.110 §4 in so far as it requires affidavit of noncollusion and bond to accompany bid for "county work." Subject not expressed in title. State v. Dorsey 78 N. E. 843 (1906)
- b Minn. Authorizing creation of water, light, power and building comm. in municipality under 10,000; exclusive control over mun. plants and buildings; rates. 9§ '07 ch.412, 25 Apr.
- c N. J. Cities may issue additional bonds to erect public buildings and to sell old buildings and lands. 4§ '07 ch.8, 14 Mar.
- d N. J. City council may condemn land for public use and erect buildings thereon; cost, in any year, of land not to exceed \$25,000, of buildings \$50,000; bond issue. 2§ '07 ch.191, 13 May
- e N. J. Cities of 1st class may erect stables. 3§ '07 ch.219, 21 May

2556

### Municipal

- a Ill. Town coextensive with a city may build town hall and issue bonds therefor. 3§ '07 p.572, 22 Apr.

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2556

- b **Kan.** Parks, boulevards and public buildings in cities of more than 50,000. Rep. '03 ch.128. 59§ '07 ch.115, 1 Mar.
- c **Minn.** City of 50,000 may condemn site for public building. 18 '07 ch.291, 22 Apr.
- d **Minn.** City of 50,000 may issue \$100,000 of bonds for central police station. 4§ '07 ch.413, 25 Apr.
- e **N. J.** Council of incorporated town may erect town hall; cost not to exceed \$100,000; bond issue; referendum. 3§ '07 ch.168, 13 May
- f **Wis.** Village may acquire property and construct and lease buildings for public purposes. Adds S.'98 §893 subdiv. 30. 1§ '07 ch.365, 24 June

2557

## County

- a **Fla.** Amdg. G.S.'06 §808: tax for erecting county building not to exceed 5 [2] mills for 5 [2] consecutive years. 2§ '07 ch.103, 21 May
- b **Ia.** Amdg. C. §448: in county of 25,000 [40,000] bonds for erection of public buildings in excess of \$100,000 to be paid in 25 years. 1§ '07 ch.19, 20 Mar.
- c **Kan.** Amdg. G.S.'01 §1624-26 rel. to erection of county buildings: submission to popular vote. 4§ '07 ch.141, 13 Mar.
- d **Minn.** Appointment, in county of 75,000, of bd. of courthouse comrs. to superintend erection of courthouse and jail; duties. 9§ '07 ch.223, 17 Apr.
- e **Mo.** Amdg. R.S.'99 §5172, 5174 rel. to county courthouse, jail and poorhouse bonds. 2§ '07 p.82, 7 Mar.
- f **Mo.** County Court may submit to voters increase of levy for erection of public building. 11§ '07 p.192, 20 Mar.
- g **N. M.** Amdg. '05 ch.54 §1: in county with no courthouse or jail comrs. authorized [and directed] to make levy for building fund; moneys raised and not to be used to be transferred to school fund. 2§ '07 ch.101, 21 Mar.
- h **Wis.** County bd. may make leases, contracts or other conveyances rel. to lands acquired for public purposes. Adds S.'98 §670 subdiv. 14. 1§ '07 ch.248, 19 June

2557(5)

## Township

- a **N. D.** Amdg. R.C.'05 §3063, 3133: township may erect public buildings. 2§ '07 ch.255, 14 Mar.

2559

## Property and supplies generally

- a **Kan.** Cities of 50,000 to have purchasing agent appointed by mayor. 6§ '07 ch.121, 9 Mar.
- b **N. J.** Bd. of chosen freeholders to furnish county bd. of taxation with office accommodations and traveling expenses. 5§ '07 ch.41, 11 Apr.

2560

## Contracts

- a **Ind.** County comrs. to file specifications of proposed buildings, bridges and monuments; bids to contain noncollusion affidavit; inspection of work; rights of laborers and materialmen; sale of county property; penalty. 10§ '07 ch.271, 12 Mar.

## LOCAL FINANCE

2560

- b **Mass.** City clerk to keep public contracts in book open to inspection; penalty \$10 to \$100. 2§ '07 ch.343, 29 Apr.
- c **Mon.** Amdg. P.C. §4807 rel. to letting mun. contracts: exceeding \$250 [\$50] to lowest bidder; *for more than 3 years to be submitted to vote of taxpayers.* 1§ '07 ch.48, 27 Feb.
- d **Wis.** Amdg. S.'98 §921: contract for work or purchase of material in village exceeding \$100 [\$50] to be let to lowest bidder. 1§ '07 ch.245, 19 June
- e **Wy.** Contracts of over \$200 to be let by municipality to lowest bidder; to be approved by council or trustees and executed by mayor or president. 3§ '07 ch.9, 9 Feb.

2561

### OFFICERS INTEREST IN CONTRACTS

- a **Fla.** Amdg. G.S.'06 §3470: state, county or mun. bd. not to purchase supplies from firm in which member is interested. 1§ '07 ch.97, 3 June
- b **Ind.** Amdg. '05 ch.129 §46: officers of cities and incorporated towns not to be interested in contract with municipality. 1§ '07 ch.254, 12 Mar.
- c **N. J.** Amdg. '01 ch.191 §32 forbidding local officers to be interested in public contracts. 1§ '07 ch.124, 7 May
- d **Pa.** Msdr. for officer or employee of borough to be interested in contract for furnishing supplies to borough. 1§ '07 ch.200, 28 May
- e **U.** Amdg. R.S.'98 §222: officer of city, town or mun. corp. not to be interested in contract thereof. 1§ '07 ch.98, 14 Mar.
- f **Wis.** Person having interest in contract for furnishing public service ineligible to office in city, village or town; office vacated on officer acquiring such interest. Adds S.'98 §976s. 2§ '07 ch.638, 15 July

2562

### *Gifts. Bequests. Trusts*

- a **Pa.** Incorp. of trustees appointed to administer property willed or donated to city for advancement of learning, science, music and art. 4§ '07 ch.227, 28 May

2564

### *Sale of property*

- a **N. D.** Comrs. may sell county property; method. 1§ '07 ch.67, 12 Mar.

2565

### *Stationery and supplies*

- a **Pa.** Amdg. '89 ch.54 rel. to furnishing supplies to county officers by comrs. Rep. '95 ch.120. 2§ '07 ch.234, 29 May
- b **Tex.** County comrs. court to obtain stationery, printing etc. from lowest bidder. 7§ '07 ch.136, 18 Apr.

2566

## Taxes

*See also 2577, Tax levy*

- a **Ind.** Levy and collection of taxes in cities of 4th class not county seats by same method as in county. 3§ '07 ch.196, 9 Mar.
- b **Kan.** Special tax for light and water fund in cities of 2d class of over 10,000. 1§ '07 ch.126, 7 Mar.

2566

- c **Kan.** Amdg. G.S.'01 §1853 rel. to county tax levies: county of over 30,000 with valuation of \$7,000,000 or under, may levy 1½%. 2§  
'07 ch.409, 7 Mar.
- d **N. J.** Amdg. '03 ch.208 §22 rel. to table of aggregates to be prepared by county bd. of taxation. 1§  
'07 ch.127, 7 May
- e **N. J.** Amdg. '06 ch.147 §1: lands belonging to one county and situated in another county to be taxed in district where located. 1§  
'07 ch.220, 21 May
- f **Vt.** Amds. S. §3080: town or incorporated village may vote discount for payment of taxes in advance, not to exceed 4%. 1§  
'06 ch.96, 6 Dec.

2569

### Special assessments

*See also* Special purposes of assessments, streets, sewers, drains etc.

- a **Ark.** Assmt. of real estate in improvement district for repair and enlargement of plants. 7§  
'07 ch.424, 28 May
- b **Cal.** Amdg. '85 ch.153 §34 rel. to streets and sewers in municipalities: making assmt. to be incidental expense. 1§  
'07 ch.539, 23 Mar.
- c **Ill.** Authorizing joint local improvements by cities, towns and villages; procedure. Adds §97a to '97 p.102. 1§  
'07 p.193, 20 May
- d **Ill.** Adding §15a, 33a, 61a, 77a, 89a, 89b to '97 p.102 rel. to local improvements. Does not apply to cities of more than 100,000. 7§  
'07 p.195, 25 May
- e **Ind.** Amdg. '05 ch.129 §103, 106 rel. to assmts. for public improvements in municipalities: benefits and damages to same piece of property to be set off. 2§  
'07 ch.36, 21 Feb.
- f **Ind.** Realty of municipality liable for assmts. for public improvements. 2§  
'07 ch.110, 6 Mar.
- g **Ind.** Amdg. '05 ch.129 §120: city not to be assessed more than \$5000 [\$500] for sewer improvement except by special appropriation. 1§  
'07 ch.261, 12 Mar.
- h **Mo.** Municipality may levy special assmt. against real property of railroad. 1§  
'07 p.92, 20 Mar.
- i **Mo.** Amdg. R.S.'99 §5859: property of county or city subject to special tax for street improvement in city of 3d class; collection. 1§  
'07 p.103, 20 Mar.
- j **Or.** Amdg. Ann. C.& S. §2727 rel. to payment of street improvement and sewer assmts. in instalments. 1§  
'07 ch.201, 25 Feb.
- k **Pa.** Where street, entirely within municipality, is next to boundary line, property on opposite side subject to assmt. for improving such street. 2§  
'07 ch.219, 28 May
- n **U.** Amdg. R.S.'98 §277: special tax not to be levied till contract for improvement let. 1§  
'07 ch.127, 23 Mar.
- p **Wash.** Amdg. '05 ch.29 §2 rel. to assmt. of county property in municipality for local improvements: county comrs. authorized to pay same. 1§  
'07 ch.61, 4 Mar.
- q **Wash.** City of 1st class may assess state tide and school land for local improvement. 3§  
'07 ch.73, 5 Mar.



## LOCAL FINANCE

2569

- r **Wis.** Amdg. S.'98 §925 subdiv.180 rel. to publication and posting of notice of review and hearing on paving assmts. 1§  
'07 ch.152, 31 May
- s **Wis.** Amdg. S.'98 §903: village may assess property benefited for [not less than half] cost of park or street. 1§ '07 ch.354, 24 June
- t **Wy.** Amdg. R.S.'99 §1545 subdiv.4: towns of 1000 may assess abutting property for street and sewer improvements. 1§  
'07 ch.89, 20 Feb.

2571

### *Assessment bonds*

- a **Ia.** Making C. §912 rel. to issuance of certificates or bonds in anticipation of special taxes applicable to towns. 1§ '07 ch.44, 12 Mar.
- b **Mon.** Authorizing issue of bonds in payment of internal improvement in improvement district in city or town. Rep.'05 ch.73. 12§  
'07 ch.75, 4 Mar.

2572

### *Collection*

- a **Ind.** Amdg. '05 ch.129 §110, 115-16 rel. to payment of street improvement assmts. by instalments. 3§ '07 ch.257, 12 Mar.
- b **Me.** Mun. officers to print names of delinquent taxpayers in yearly report; penalty. 1§ '07 ch.166, 27 Mar.
- c **N. J.** Councils of incorporated towns may abolish office of collector of arrears of taxes. 3§ '07 ch.152, 10 May
- d **Pa.** Amdg. '01 ch.228 §10 rel. to time of filing claims for taxes etc. 1§ '07 ch.177, 1 May
- e **Wash.** Action for collection of special assmt. to be brought in 10 years. 1§ '07 ch.182, 15 Mar.

2575

### **Budget. Accounts**

- a **Wis.** City budget: officers to file estimates for ensuing year; bd. of estimate; levy; bonds; accounts of officers; compulsory for city of 1st class, optional with others. Adds S.'98 §925q subdiv. 160-65. 7§  
'07 ch.494, 9 July

2577

### **Appropriation. Tax levy. Expenditures**

- a **Cal.** Where legis. branch of municipality deems unwise to expend money raised by bond for original purpose, special election may be called to allow its use for another purpose;  $\frac{3}{4}$  vote of electors necessary. Adds §9½ to '01 ch.32. 1§ '07 ch.338, 19 Mar.
- b **Mass.** Annual appropriations to be made for metropolitan parks, sewerage and water systems, and assessed by treasurer and receiver gen. 3§ '07 ch.165, 4 Mar.
- c **Minn.** Amdg. R.L.'05 §431: \$350 [\$250] for incidental expenses of county officers. 1§ '07 ch.390, 24 Apr.
- d **Neb.** Amdg. C.S.'05 §5057: appeals from county tax levy in counties of 30,000 to 100,000. 2§ '07 ch.101, 30 Mar.
- e **N. H.** Subdivisions of towns not to raise or appropriate money at special meeting except by vote by ballot; ballots must equal half number of voters in district. 2§ '07 ch.121, 4 Apr.

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- f **N. J.** Where voters fail to raise any money at township election for ensuing year, township committee may raise amount not to exceed appropriation of previous year. 1§ '07 ch.177, 13 May
- g **N. J.** Where amount to be raised by taxation is fixed by governing body of municipality, such body may reappropriate balances or apply same to sinking fund; may amend annual tax ordinance prior to fixing rate. 2§ '07 ch.249, 17 June
- h **W. Va.** Amdg. '05 ch.48 §29 rel. to county levies. 1§ '07 ch.63, 21 Feb.

2578

## Limit of taxation

- a **N. J.** Removing limit of taxation in incorporated towns up to 15c on \$100. 1§ '07 ch.137, 7 May
- b **W. Va.** Amdg. '05 ch.50 §1 rel. to limitation of power of mun. corp. to impose taxes. 1§ '07 ch.62, 21 Feb.
- c **Wis.** Amdg. S.'98 §1074: tax for county purposes not to exceed 1 1/2% of assessed valuation. 1§ '07 ch.430, 27 June

2579

## Examination and audit

- a **Kan.** Mayor of city of 1st class of more than 50,000 to employ an accountant to audit books of city once each year. 3§ '07 ch.118, 7 Mar.
- b **N. Y.** Referring to Legis. 1909 amdt. to Const. 1894 art.3 §27: Legis. may confer additional powers on county auditors. 2§ '07 p.2508, 14 June
- c **Pa.** County auditors to publish annual report of accounts audited. 2§ '07 ch.131, 7 May
- d **S. D.** Amdg. P.C. §1444 rel. to audit of claims against incorporated town: no audit of claims for improvements for benefit of individuals in corporate limits or for grading, draining or bridging outside without vote of electors. 2§ '07 ch.1, 4 Mar.
- e **Wash.** System of checking accounts of county officers. Amds. Ballinger's Ann. C.& S.'97 §1597. 5§ '07 ch.65, 5 Mar.

2580

## Accounts to be kept. Form

- a **Ari.** County treasurer to issue duplicate receipts to be countersigned by clerk of bd. of supervisors; latter to keep duplicate; penalty. 5§ '07 ch.24, 12 Mar.
- b **Col.** Amdg. '02 ch.3 §143: county clerk to transmit to State Auditor copy of statement of state revenue within 30 days after settlement between county comrs. and county treasurer; forfeiture of \$5 per day. 1§ '07, ch.210, 3 Apr.
- c **Ill.** Uniform system of accounting in county offices of Cook county (Chicago). Adds §62a to R.S.'74 ch.53. 1§ '07 p.218, 24 May
- d **S. D.** Amdg. P.C. §1079: town treasurer to give county treasurer duplicate vouchers for funds drawn, latter to transmit one to town clerk. 2§ '07 ch.102, 3 Mar.

## LOCAL FINANCE

2581

### Reports

- a **Ind.** Township trustees to publish financial report in 2 newspapers in county representing parties receiving highest vote in preceding election; penalty. 3§ '07 ch.214, 9 Mar.
- b **Minn.** Amdg. R.L.'05 §433: annual financial statement of county comrs. to be made 1st Tuesday *after 1st Monday* in Jan. 1§ '07 ch.205, 15 Apr.
- c **N. J.** Mun. bds. and comns. permitted to expend public money otherwise than by warrant on treasurer to file annual statement. 1§ '07 ch.38, 11 Apr.
- d **S. C.** Monthly report of county treasurer to Comptroller Gen. to be accompanied by statement of cashier of bank where funds deposited as to balance; also his own and county auditor's affidavit as to cash in hand. Amds. C.C. §403. 1§ '07 ch.232, 13 Feb.
- e **U.** Amdg. R.S.'98 §231: city auditor or recorder on expiration of office to prepare financial statement for use of successor. 1§ '07 ch.71, 14 Mar.

2583

### State supervision. Uniform accounts

*See also* 55, State examiner; 856, State accounts

- a **Col.** Auditor to appoint Public Examiner, term 2 years, salary \$2500; uniform system of accounts in state and county offices; examination. 11§ '07 ch.204, 3 Apr.
- b **Ia.** Auditor of State to prescribe uniform system of accounts for county auditor, county treasurer and clerk of District Court. 2§ '07 ch.24, 4 Apr.
- c **Ia.** Rep. C. §1460 rel. to report of Auditor of State to county auditor of county treasurer's account with Treasurer of State. 1§ '07 ch.63, 13 Apr.
- d **Mass.** Chief of bureau of statistics of labor to appoint 2 clerks to have charge of compilation of mun. returns. 2§ '07 ch.79, 7 Feb.
- e **N. J.** Rep. '79 ch.15 providing for summary investigation of mun. expenditures. 1§ '07 ch.2, 29 Jan.
- f **N. J.** Summary investigation of mun. expenditures on petition of 25 freeholders. 2§ '07 ch.3, 6 Feb.
- g **N. Y.** Amdg. '05 ch.705 §1, 6: counties, cities of 2d and 3d classes and all villages [of 3000] to make annual financial report to State Comptroller; *financial officer thereof to make such report 60 days after retiring*; compensation of State Examiner \$8 [\$5] per day; *Comptroller may instal uniform system of account.* Adds §7a. 3§ '07 ch.215, 25 Apr.

2584

### Fiscal year

- a **Pa.** Cities of 3d class may fix commencement of fiscal year. 2§ '07 ch.33, 28 Mar.
- b **Wis.** Amdg. S.'98 §925 subdiv.120: fiscal year in city Jan. 1 [Sept. 1] to Dec. 31 [Aug. 31]. 1§ '07 ch.347, 24 June

2585

### Warrants

- a **Wis.** Amdg. S.'98 §823 rel. to form of order on town treasurer. 1§ '07 ch.264, 19 June

2586

**Claims. Judgments**

- a **Ala.** Courts of county comrs. may compromise doubtful claims in favor of county on account of moneys heretofore paid by order of such courts. 1§ '07 p.333, 4 Mar.
- b **N. Y.** Bd. of estimate and apportionment of city of New York may determine illegal but equitable claim against city; exceptions. Adds Greater New York charter §246. 1§ '07 ch.601, 17 July
- c **Pa.** Municipalities may recover claims by lien or action of assumpsit. 1§ '07 ch.36, 4 Apr.

2587

**Funds**

- a **Cal.** Transfer of moneys when new county formed. Adds §3975a to P.C. 1§ '07 ch.382, 20 Mar.
- b **Fla.** Transfer of surplus of fine and forfeiture fund to other county funds. 3§ '07 ch.104, 15 May
- c **Ind.** Where construction of proposed schoolhouse is abandoned any special fund collected therefor to be transferred to township fund for gen. purposes. 1§ '07 ch.200, 9 Mar.
- d **N. D.** Division of funds and property of township and village on organization of latter. 1§ '07 ch.264, 14 Mar.
- e **S. D.** Incorporated towns may invest sinking funds; securities designated. 4§ '07 ch.93, 25 Feb.

2588

**Financial officers**

- a **Mass.** Terms of assessors except in Boston. 1§ '07 ch.579, 28 June
- b **Pa.** Sec. of Commonwealth to compile and publish 25,000 copies of laws pertaining to borough and township assessors, collectors, treasurers and auditors; §1850. 2§ '07 ch.476, 13 June

2589

**Municipal**

- a **Ind.** Amdg. '05 ch.129 §89: salary of deputy comptroller in cities of 1st class \$1500 to \$1800 [\$1000 to \$1200] in cities of 2d and 3d classes \$800 to \$1500 [\$1000]. 1§ '07 ch.198, 9 Mar.
- b **Kan.** Cities of 50,000 to have purchasing agent appointed by mayor. 6§ '07 ch.121, 9 Mar.
- c **Neb.** County comptroller to be ex officio city comptroller in city of metropolitan class. 1§ '07 ch.37, 1 Apr.
- d **N. J.** Compensation of town collector to be fixed by Council; to be in lieu of fees and other compensation. 1§ '07 ch.206, 15 May
- e **N. Y.** Amdg. village law '97 ch.414 §51: 3 assessors or 1 may be provided for. 1§ '07 ch.82, 27 Mar.
- f **Pa.** Amdg. '01 ch.285 §14 rel. to compensation of treasurer of city of 3d class in capacity of collector: 1/2 [1]% on taxes paid before penalty incurred. 1§ '07 ch.94, 25 Apr.
- g **R. I.** Amdg. G.L. ch.46 §24 rel. to return of tax lists by assessors to city treasurer. 1§ '07 ch.1425, 4 Apr.

2593

**County**

- a **Ind.** Salaries of treasurers of various counties; of Treasurer of State \$7500; provisos. 4§ '07 ch.248, 11 Mar.

## LOCAL FINANCE

2593

- b Mich.** Amdg. Const. 1850 art.10 §10 by providing for auditors in certain counties. Adopted Apr. 1907. '07 p.503
- c Minn.** Authorizing appropriation of \$600 to auditor and \$500 to treasurer for clerk hire in certain counties. 2§ '07 ch.118, 8 Apr.
- d Minn.** Clerk hire allowed auditor of certain counties. 2§ '07 ch.207, 15 Apr.
- e Mo.** Amdg. R.S.'99 §6764: term of county treasurer 4 [2] years. 1§ '07 p.449, 1 Apr.
- f Neb.** Creating office of county comptroller in counties containing city of metropolitan class; term, duties, salary. 5§ '07 ch.36, 29 Mar.
- g Neb.** Office room and supplies for county comptroller. 1§ '07 ch.38, 29 Mar.
- h Neb.** Amdg. C.S.'05 §2409, 2413, 2451 rel. to counties and county officers: duties of comptroller in counties having such officer. 3§ '07 ch.33, 1 Apr.
- i N. J.** Salaries of members of bd. of taxation in counties of over 250,000, \$3500. 1§ '07 ch.112, 29 Apr.
- j N. D.** County auditor to keep reception book for entry of documents, bonds and papers required to be deposited with him; bonds to be recorded with register of deeds. 2§ '07 ch.71, 8 Mar.
- k N. D.** Amdg. R.C.'05 §2592 rel. to salary of county auditor. 1§ '07 ch.70, 19 Mar.
- n S. D.** In counties of 50 congressional townships not organized as civil townships assessor to enter on duties about Apr. 1. 2§ '07 ch.71, 3 Mar.
- p Tex.** Amdg. '05 ch.161 §1: auditor in county of 40,000 or having city of 25,000. 1§ '07 ch.168, 24 Apr.
- q Wis.** Amdg. S.'98 §710 rel. to county treasurer's bond: minimum \$250,000. 1§ '07 ch.231, 18 June
- r Wy.** Election of county assessors; term 2 years; salary graded according to class of county; duties. 13§ '07 ch.80, 20 Feb.

2595

### Township

- a N. J.** Amdg. '98 ch.200 §10 rel. to payment of street improvement bonds of cities: may be paid serially in lieu of sinking fund. 2§ '07 ch.78, 16 Apr.
- b Pa.** Amdg. '34 ch.247 §89: township assessor to receive \$2.50 [\$2] per diem. 1§ '07 ch.184, 25 May
- c Pa.** Abolishing office of collector in townships of 1st class; treasurer to collect all taxes. 2§ '07 ch.210, 28 May
- d Pa.** Amdg. '99 ch.86 §14: township treasurer to receive 5% of taxes and 1% of other money collected by him. 1§ '07 ch.304, 7 June

2597

### Debts. Bonds

*See also* 2245, School finance; 2571, Special assessments; 2672, Sewerage; 2684, Parks.

- a Ala.** Amdg. '03 p.71 rel. to adjustment and refunding of bonded debt of mun. corporations. 4§ '07 p.532, 6 Aug.

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- aa **Ari.** Amdg. R.S.'01 §564 rel. to levy for improving streets, sewers etc.: 12 [2] mills. 2§ '07 ch.53, 18 Mar.
- b **Ark.** Submitting amdt. to Const. 1874 art. 16 §1: counties, cities and towns may issue bonds, not to exceed 10% of assessed valuation, for maintenance of public improvements; 3 mill levy. 1§. Vote Sept. 1908. '07 p.1257, 23 May
- c **Cal.** Issuance of duplicates of mutilated mun. bonds. 3§ '07 ch.35, 23 Feb.
- d **Cal.** Adjustment of debt on exclusion of territory from municipality. Adds t.14 to C.C.P. pt.3. 4§ '07 ch.383, 20 Mar.
- e **Ind.** Amdg. '05 ch.167 §75 rel. to maturing and paying highway bonds. 2§ '07 ch.265, 12 Mar.
- f **Kan.** City of 3d class may issue funding bonds. 4§ '07 ch.132, 7 Mar.
- g **Kan.** Cities of 1st and 2d classes may compromise and refund outstanding indebtedness. Rep. '03 (ex. sess.) ch.37. 7§ '07 ch.137, 13 Mar.
- h **Minn.** City under 10,000 may issue bonds to take up past due indebtedness and prevent creation of floating indebtedness. 5§ '07 ch.62, 25 Mar.
- i **Minn.** Amdg. '05 ch.64 §5 rel. to publication of notice of sale of bonds by town supervisors: in newspaper published at capital *when amount over \$5000; when application made to state for sale notice unnecessary.* 1§ '07 ch.63, 26 Mar.
- j **Minn.** Counties, municipalities, towns and school districts may issue bonds to state; procedure. 10§ '07 ch.122, 6 Apr.
- k **Minn.** Amdg. G.L.'05 ch.339 §5: rate of interest on bonds issued for water or light plants by city of 10,000 or less not to exceed 5 [4]%. '07 ch.178, 13 Apr.
- n **Minn.** County of under 50,000 may purchase its own bonds. 2§ '07 ch.214, 15 Apr.
- p **Minn.** Municipality may sell bonds by popular subscription. 1§ '07 ch.462, 25 Apr.
- q **Mon.** Amdg. '97 p.226 §4 rel. to mun. bonds: denomination of \$100 or *multiples thereof* [\$1000]; *signatures on coupons may be engraved.* 1§ '07 ch.15, 15 Feb.
- r **Mon.** Bonds of locality held by state may be redeemed before maturity. 3§ '07 ch.33, 25 Feb.
- s **N. H.** Counties may provide sinking funds for payment of outstanding bonds. 4§ '07 ch.25, 20 Feb.
- t **N. J.** Amdg. '03 ch.168 §73 rel. to bonds of cities: interest 4 1/2 [4]%; may be authorized at gen. or *special* election. 1§ '07 ch.103, 25 Apr.
- u **N. M.** Limitation of action on bond of municipality or school district 10 years. 2§ '07 ch.68, 21 Mar.
- v **N. Y.** Amdg. sundry sections of Greater New York charter: comrs. of sinking fund authorized to fix rate of interest on city obligations. 8§ '07 ch.439, 6 June

## LOCAL FINANCE

2597

- w N. Y.** Amdg. '91 ch.4 §73 rel. to construction of rapid transit railways by city of 1,000,000: *comrs. of sinking fund* [bd. of estimate and apportionment] to prescribe rate of interest on bonds [not to exceed 4%]. 1§ '07 ch.534, 17 June
- x N. Y.** Amdg. Greater New York charter §182 rel. to sale of city bonds: if not sold at public sale, may be disposed of at private sale. 1§ '07 ch.762, 30 July
- y N. D.** Amdg. R.C.'05 §2869 rel. to village indebtedness: refunding bonds not to be issued except on petition of citizen owners of  $\frac{5}{8}$  of taxable property. 1§ '07 ch.265, 13 Mar.
- z S. D.** Amdg. P.C. §963: county may fund bonded *and judgment* indebtedness. 2§ '07 ch.103, 27 Feb.
- za S. D.** Amdg. P.C. §1385, 1387: cities may issue bonds for payment of bonded *or floating warrant* indebtedness. 3§ '07 ch.91, 9 Mar.
- zb Tenn.** County levying tax therefor may pay off bonded indebtedness. 2§ '07 ch.573, 15 Apr.
- zc Vt.** Amdg. S. §3112: bonds for refunding mun. debt may be at higher rate of interest. 1§ '06 ch.98, 21 Nov.
- zd W. Va.** County may refund bonds at lower rate of interest than outstanding bonds; referendum. 8§ '07 ch.31, 19 Feb.
- ze Wis.** Amdg. S.'98 §943 rel. to issuance of bonds by town, village or city. 1§ '07 ch.208, 12 June
- zf Wis.** Amdg. S.'98 §925 subdiv.133: city may issue bonds for hospitals and harbor improvements. 1§ '07 ch.235, 18 June

2598

### Limitation of indebtedness

- a Kan.** Amdg. G.S.'01 §981 rel. to bonded indebtedness of cities of 2d class: bonds issued to pay special assmts. charged against city not to be counted in computing bonded indebtedness. 2§ '07 ch.128, 11 Mar.
- b Mo.** Submitting amdt. to Const. 1875 by adding art.10 §12b: city of 100,000 authorized to incur additional indebtedness of 5% of assessed valuation. 1§. Vote Nov. 1908. '07 p.453
- c Mo.** Submitting amdt. to Const. 1875 art.10 §12a: in city of 2000 to 30,000 debt for waterworks, electric or other light plants not to be considered rel. to limitation of indebtedness. 1§. Vote Nov. 1908. '07 p.454
- d N. Y.** Amdg. Const. 1894 art.8 §10: debts incurred for water supply by cities of 2d class after Jan. 1, 1908 not to be included within constitutional limit of indebtedness. Adopted Nov. 1907. '06 p.1897, 1 May; '07 p.2500, 29 May
- e Pa.** Referring to Legis. of 1909 amdt. to Const. 1874 art.9 §8: debt of municipality not to exceed 10 [7]% of assessed valuation. 1§ '07 p.834
- f S. C.** Ratifying amdt. to Const. 1895 art.8 §7 adopted by people Nov. 1906: city of Bennettsville may increase bonded indebtedness beyond 8% of taxable property for establishment and maintenance of waterworks or sewerage plant on submission to popular vote. 1§ '07 ch.234, 19 Feb.

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- g **Vt.** Amds. '04 ch.79 §3: temporary loans in anticipation of collection of taxes not to be included in determining amount of mun. indebtedness. 1§ '06 ch.94, 29 Oct.

2599

## Temporary debt

- a **Minn.** Issuance of certificates of indebtedness for construction of county buildings in county having assessed value of \$100,000,000 and bonded indebtedness of under \$700,000. 5§ '07 ch.130, 9 Apr.
- b **N. H.** Cities by  $\frac{3}{4}$  vote and towns by major vote may incur debts for temporary loans in anticipation of taxes of year; payable in 1 year; not to be reckoned in determining limit of debt. 1§ '07 ch.21, 20 Feb.
- c **N. J.** Amdg. '99 ch.110 §1 rel. to funding floating debt of municipalities. 2§ '07 ch.101, 25 Apr.
- d **Or.** Amdg. Ann. C.& S. §2543 rel. to payment of interest on unpaid county orders: county court may fix rate not less than 5%. 1§ '07 ch.151, 25 Feb.
- e **U.** Amdg. '05 ch.77 §1, 2: city of 1st or 2d class may issue scrip against special tax after *completion of improvement* [levy]. 2§ '07 ch.69, 14 Mar.
- f **U.** Special tax funds in cities of 1st and 2d class, and issue of warrants against same. 6§ '07 ch.140, 25 Mar.
- g **Wis.** Amdg. S.'98 §925 subdiv.189 rel. to certificate issued to contractor by city for public work. 1§ '07 ch.174, 6 June

2600

## Deposits and depositories

- a **Ark.** County depositories. 9§ '07 ch.208, 22 Apr.
- b **Cal.** County and mun. moneys may be deposited in licensed banks; security; interest not less than 2%; limit of deposits; relieves officials of responsibility for loss; felony for officer to make profit from public money. 13§ '07 ch.522, 23 Mar.
- c **Id.** Amdg. '05 p.100 §1, 3, 5, 6 rel. to county depositories. 4§ '07 p.328, 13 Mar.
- d **Minn.** Council of certain cities may designate depositories of city funds. 6§ '07 ch.17, 21 Feb.
- e **Minn.** Amdg. R.L.'05 §500 rel. to depositories of county funds. 1§ '07 ch.352, 23 Apr.
- f **Neb.** Amdg. C.S. '05 §2582 rel. to bonds of depository banks. 2§ '07 ch.39, 5 Apr.
- g **N. D.** Amdg. R.C.'05 §2439: county sinking fund exceeding \$1000 [\$3000] to be placed in depository; *interest same as on other county funds*. 1§ '07 ch.92, 14 Mar.
- h **Tex.** Amdg. '05 ch.164 §34 rel. to depositories for city funds: school moneys included. 1§ '07 ch.61, 5 Apr.
- i **Tex.** Amdg. '05 ch.164 §20 rel. to county depositories: msdr. for members of Comrs. Court to advertise for bids. 1§ '07 ch.108, 16 Apr.
- j **Wash.** City or town under 75,000 to designate depositories; bond; interest at 2%. 4§ '07 ch.22, 19 Feb.
- k **Wash.** County depositories. 6§ '07 ch.51, 1 Mar.



## FIRE DEPARTMENT

2600

- n Wis. Amdg. S.'98 §693 rel. to county depositories: number; state or U. S. banks; bond. 1§ '07 ch.474, 9 July

## Police, *see* 872

2603

## Fire department

*See also* 1092, Fires

- a Ill. Declaring unconst. '03 p.97 §18 which allows appeal from order of fire and police comrs. in city of 700 to 100,000 to Circuit Court. Violates separation of executive and judiciary.  
City of Aurora *v.* Schoberlein 82 N. E. 860 (1907)
- b Ia. Amdg. C. S. §679a, 679f-h: cities of 20,000 [60,000] to have bds. of police and fire comrs. 5§ '07 ch.29, 2 Apr.
- c N. J. Amdg. '02 ch.107 §14 subdiv.32 rel. to fire dept. in cities: purchase of equipment by bond issue; may be put under control of Fire Comr. or Comrs. 1§ '07 ch.171, 13 May
- d Pa. Road supervisors in townships of 2d class, on petition of owners of majority of lineal frontage on highway in any village may contract with water company for fire hydrants. 3§ '07 ch.182, 25 May
- e Wis. Amdg. S.'98 §959 subdiv.40, 41, 45 rel. to organization and powers of bd. of police and fire comrs. in city of 2d or 3d class. 3§ '07 ch.61, 30 Apr.

2605

## Fire districts

- a N. J. Authorizing division of townships into districts for supplying water for fire purposes. 5§ '07 ch.287, 30 Oct.

2606

## Finances

2607

## *Appropriation. Taxes. Bonds*

- a Minn. Common council of city of 50,000 may fix maximum of annual expenditure for fire debt. 2§ '07 ch.286, 22 Apr.
- b Minn. Authorizing bond issue of \$100,000 by city of 50,000 for fire engine houses and apparatus. 4§ '07 ch.287, 22 Apr.
- c N. J. Financial authorities of cities may issue bonds to erect and equip fire houses. 3§ '07 ch.5, 27 Feb.
- d N. J. Amdg. '79 ch.72 §7 rel. to taxes for fire purposes: assessed on *all taxable property* [buildings and contents]. 1§ '07 ch.142, 7 May
- e N. J. Proceeds of bond issues for erection of fire dept. buildings in cities to be under control of fire comrs. 1§ '07 ch.225, 27 May

2608

## *Property*

2609

## APPARATUS

*See also* 1096, Fire alarms

- a Ia. Amdg. C. §2467-68 as to penalty for removal of fire apparatus and giving false alarms. 2§ '07 ch.125, 23 Feb.

2612

**Officers**

*See also 1093, Fire marshal*

- a **N. H.** Towns and cities may grant pensions to firemen and police officers; referendum. 4§ '07 ch.85, 26 Mar.

2613

*Appointment and removal*

- a **Kan.** Placing fire depts. in cities of 1st class of less than 60,000 under civil service rules. 5§ '07 ch.117, 1 Mar.

2616

*Pensions. Relief*

- a **Ct.** Firemen's pension and relief fund for city of Meriden. 6§ '07 special acts ch.166, 1 May
- b **Ill.** Amdg. '87 p.117 title and §1, 2, 3, 4, 6, 8, 10, 11, 16 rel. to firemen's pension fund. 17§ '07 p.186, 1 June
- c **Ind.** Extends to cities of 3d class provisions rel. to firemen's pension funds. Amds. '05 ch.129 §182. 1§ '07 ch.29, 21 Feb.
- d **Ind.** Amdg. '05 ch.129 §185 rel. to firemen's pension funds. 1§ '07 ch.256, 12 Mar.
- e **Mass.** Town may pension widow or children of policeman or fireman or person aiding same killed in performance of duty; not to exceed \$300; two thirds vote at town meeting. 3§ '07 ch.186, 12 Mar.
- f **Mich.** Incorp. of mutual provident associations of members of fire depts. 11§ '07 ch.117, 29 May
- g **Minn.** Creating fund for pensions and relief of firemen in city of 50,000. 12§ '07 ch.24, 28 Feb.
- h **Minn.** Amdg. R.L.'05 §1655 rel. to firemen's pension: exempt from execution. 1§ '07 ch.331, 23 Apr.
- i **Mon.** Creating disability fund in cities and towns; levy. Rep. '99 p.73 §8, 9; '03 ch.113. 11§ '07 ch.71, 4 Mar.
- j **N. J.** Trustees of firemen's pension fund in municipalities other than cities of 1st class to consist of chief engineer and 4 others elected by *members of fire dept.* [fire comrs.]; method of electing; organization and duties of trustees; method of adopting provisions of act. Amds. '05 ch.65 §2, 3, 5, 7, 8. 7§ '07 ch.221, 24 May
- k **N. M.** 10% of insurance fund to be devoted annually to fund for disabled firemen, their widows and orphans. 3§ '07 ch.85, 21 Mar.
- n **N. Y.** Establishing pension fund for paid fire dept. of city of Yonkers. 13§ '07 ch.446, 7 June
- p **N. C.** Taxing fire insurance companies ½ of 1% of premiums for benefit of firemen's relief fund in municipalities having organized fire dept.; trustees of fund; disbursement; no discrimination on account of color. 11§ '07 ch.831, 9 Mar.
- q **S. C.** Fire insurance companies to pay State Treasurer .2% of all premiums collected in cities having fire dept. with apparatus worth \$1000; to be paid to Firemen's Relief Associations or where paid dept. to firemen's pension funds; penalties. 8§ '07 ch.283, 9 May
- r **Wis.** Pension fund for firemen in cities of 2d, 3d, 4th classes. Adds S. '98 §959 subdiv. 46e-u. 17§ '07 ch.214, 13 June

## PUBLIC IMPROVEMENTS

2617

### Salaries

- a **Minn.** In city of 50,000 bd. of fire comrs. to fix salaries of officers of fire dept. 1§ '07 ch.401, 24 Apr.
- b **N. J.** Pay of members of paid fire depts. in cities of 1st class; referendum. 6§ '07 ch.56, 12 Apr.
- c **N. J.** Salary of chief engineer of fire dept. of city of 1st class at \$4500, of assistant, \$3500, of inspector of horses, \$2000; to be ratified by election. 3§ '07 ch.269, 14 Oct.

2620

## Public works. Public improvements

*See also 1054, Cemeteries*

- a **Ala.** Municipalities may improve streets and public places and construct sewers, and assess cost on abutting property; grievances; bonds. 21§ '07 p.295, 5 Mar.
- b **Cal.** Amdg. '01 ch.32 §2, 5, 7, 9 rel. to authorizing municipalities to incur indebtedness for public works: wharves included; interest, place and manner of payment of bonds; sinking funds. 5§ '07 ch.330, 19 Mar.
- c **Mass.** Comn. of 5, 3 appointed by Gov. and Council, 2 by Mayor of Boston; to investigate as to public improvements for metropolitan district; report by Dec. 1908; \$25,000. '07 r.108, 15 June
- d **Minn.** Salary of 1st assistant comr. of public works in city of 50,000 not to exceed \$3600. 1§ '07 ch.241, 18 Apr.
- e **N. J.** Method of assmt. and collection of expense of public improvement in municipalities governed by comn. 1§ '07 ch.163, 11 May
- f **N. M.** Municipalities of 1000 may issue bonds for sanitary and health purposes, sewers, waterworks and street improvement; referendum,  $\frac{2}{3}$  vote. Amds. C.L. '07 §1533. 8§ '07 ch.35, 16 Mar.
- g **Tex.** Submitting amdt. to Const. 1876 art.8 §9: city of 5000 may establish improvement district. 2§. Rejected Aug. 1907. '07, p.420
- h **U.** Mun. contracts to be let to lowest bidder; specifications not to require use of article or process controlled by single person. 2§ '07 ch.20, 8 Mar.
- i **Wash.** Amdg. Ballinger's Ann. C.& S.'07 §943 rel. to local improvement districts. 1§ '07 ch.70, 5 Mar.
- j **Wis.** Amdg. S.'98 §925 subdiv.223: cost of laying lateral sewers and water and gas pipes on paving street to be assessed against property fronting. 1§ '07 ch.220, 14 June

2622

### Direct employment *vs.* contract system

- a **Wis.** City of 2d to 4th class may direct public works to be performed by bd. of public works; assmt. of cost. Adds S.'08 §959m subdiv.1-3. 3§ '07 ch.253, 19 June

2623

### Boards of public work

- a **N. Y.** Creating bd. of public works in city of New Rochelle. 11§ '07 ch.661, 20 July

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- b Wis. Town by vote may establish water and light comn.; powers. Adds S.'98 §776m. 1§ '07 ch.268, 19 June
- c Wis. Comr. of public works established in city of 1st class. 20§ '07 ch.297, 20 June

2624

## City engineer

- a Minn. City of 50,000 may fix maximum expenditures of engineering and building inspection depts. and include same in annual levy. 2§ '07 ch.194, 15 Apr.

2625

## Eminent domain

- a Mo. City of 100,000 may pay into court damages awarded in condemnation proceedings and take possession immediately. 1§ '07 p.118, 6 Mar.
- b S. C. Any mun. corp. may condemn property for public building or water or sewerage system; procedure. 9§ '07 ch.300, 20 Feb.
- c Wash. City of 15,000 may exercise right of eminent domain; method of compensation. 56§ '07 ch.153, 13 Mar.

2627

## Municipal utilities (general)

*See also 1337, Street railways*

- a Cal. Charter of city of Riverside; provides public utilities dept.; initiative, referendum, recall. 267§ '07 p.1277, 9 Mar.
- b Cal. Municipalities may acquire works, roads, railroads, power plants, telephones, telegraphs etc. required for construction of public utilities. 2§ '07 ch.321, 18 Mar.
- c Ct. Appointing comn. of 5 to recommend legislation as to public service corporations; report to next Gen. Assembly. 1§ '07 special acts ch.470, 5 Aug.
- d Me. Amdg. R.S.'03 ch.55 §1: certain public utility corporations not to operate in places where like company already established *except to supply electricity to other companies*. 1§ '07 ch.172, 27 Mar.
- e Minn. Cities and villages may appoint inspectors of gas, electric light, heat and water meters; term 2 years, salary \$1500. 3§ '07 ch.343, 23 Apr.
- f Mo. Amdg. R.S.'99 §1264 rel. to condemnation proceedings by public service corp. 1§ '07 p.165, 19 Mar.
- g N. J. Public utility of city not to be sold or leased except by assent of voters. 1§ '07 ch.166, 13 May
- h N. M. Amdg. '05 ch.97 §12: appropriation of land of *public utility* corp. by railroad, telephone or telegraph company. 2§ '07 ch.90, 21 Mar.
- i N. C. Amdg. Revisal '05 §2916 rel. to public utilities: franchise not to exceed 60 years; renewal; municipality owning may lease or sell on vote of electors; may make contract for public commodity for 30 years; counties excepted. 1§ '07 ch.978, 11 Mar.
- j N. D. Gov., president of Senate and speaker of House to constitute Public Service Inquiry Comn.; to investigate properties, values, rates, accidents, efficiency of service of public service corporations; last report July 1908. 9§ '07 ch.194, 19 Mar.

## PUBLIC WORKS

2627

- k Pa.** Water, gas and electric light companies to use highways of township of 1st class only by permissive ordinance. 1§  
'07 ch.287, 6 June
- n Tex.** Council of city over 2000 may regulate rates of water, gas, light and sewer companies, require reports showing properties, earnings and expenses; city may construct and operate plants for purposes mentioned. 7§  
'07 ch.117, 16 Apr.
- p W. Va.** Amdg. C. ch.42 §2: right of eminent domain granted to electric power, heat, light and traction companies, municipalities and water companies for waterworks; electric poles and wires may be placed along road with consent of County Court. Rep. ch.54 §48a. 2§  
'07 (ex. sess.) ch.13, 6 Mar.
- q Wis.** Amdg. '01 ch.95 §1 rel. to power for lighting plant or waterworks of city of 4th class. 1§  
'07 ch.204, 12 June
- r Wis.** Power plant operated by town when town is divided. Adds S.'98 §959 subdiv.70m. 1§  
'07 ch.281, 20 June
- s Wis.** Public utilities law: Railroad Comn. given power to regulate and supervise telephone, heat, light and power corporations, public and private. Adds S.'98 §1797m subdiv.1-108; rep. §925 subdiv.97a, '05 ch.389, 459. 109§  
'07 ch.499, 9 July
- t Wis.** District atty., city atty. or judge not to be retained by common carrier or other public utility corp.; exceptions; penalty forfeiture of office. Adds S.'98 §4552m. 1§  
'07 ch.542, 10 July

2628

### Franchises (general)

*See also* 1298, Railways; 1362, Street railways; 1415, Telegraph and telephone; 2635, Electricity and gas

- a Cal.** Authorizing substitution of sureties for performance of franchise. 2§  
'07 ch.404, 20 Mar.
- b N. J.** Provisions of '06 ch.36 rel. to granting of franchises by municipalities not to apply to counties of 2d, 3d, 4th class, except cities of 12,000 therein; in such counties term not to exceed 50 years. 1§  
'07 ch.148, 8 May

2629

### Municipal ownership (general)

*See also* 1350, Street railways; 1391, Ferries and fords; 1431, Telegraph and telephone; 2635, Electricity and gas; 2650, Water; 2668, Sewerage

- a Ala.** On application of mayor of any town or city of Dallas county operating a public utility, Gov. to send a state examiner or other expert accountant to investigate management; mayor must make request annually. 4§  
'07 local acts p.550, 29 July
- b Minn.** Amdg. '05 ch.334 §1 rel. to issue of bonds by city of 10,000 to acquire electric light plant or waterworks. 1§  
'07 ch.59, 23 Mar.
- c Minn.** Amdg. '05 ch.8 §126: water and light bonds of city not to be considered part of indebtedness; how issued. 1§  
'07 ch.235, 18 Apr.
- d Minn.** Authorizing creation of water, light, power and building comn. in municipality under 10,000; exclusive control over mun. plants and buildings; rates. 9§  
'07 ch.412, 25 Apr.
- e Minn.** Cities may acquire, construct, operate and lease public utilities; 3/5 vote of electors. 7§  
'07 ch.452, 25 Apr.

2629

- f **N. Y.** City of New York may acquire and operate ferries. Adds Greater New York charter §824a. 2§ '07 ch.450, 7 June
- g **S. C.** Municipalities owning water and light plants may furnish parties without corporate limits but contiguous thereto; contracts for not to exceed 2 years. 2§ '07 ch.273, 25 Feb.
- h **Wis.** Construction or acquisition of heat, light, water or power plant by city, village or town; referendum; issue of mortgage certificates in payment. Adds S.'98 §926 subdiv.201-9. 9§ '07 ch.665, 16 July

2630

### Rates. charges

- a **Mo.** Cities may regulate rates of public utility corporations. 3§ '07 (ex. sess.) p.119, 8 May

2630(5)

### Heat

- a **Ia.** Amdg. C. §955: special charter cities may erect heating plant. 1§ '07 ch.45, 26 Mar.

2633

### Electricity, Gas

*See also 320, Crimes against property*

- a **Ind.** Light, heat or power companies may purchase water power or merge with hydraulic companies, method of merger. 3§ '07 ch.156, 9 Mar.
- b **Ind.** Extending right of eminent domain to gas companies. 1§ '07 ch.201, 9 Mar.
- c **Kan.** Electric railway company may construct and operate electric light plant. 2§ '07 ch.287, 9 Mar.
- d **Mass.** "An act rel. to the expenses of the Bd. of Gas and Electric Light Comrs." Rep. R.L. ch.121 §3, '02 ch.228 §6. 3§ '07 ch.54, 31 Jan.
- e **Mass.** Amdg. R.L. ch.121 §1 rel. to Gas and Electric Light Comrs.: may engage in other business. 1§ '07 ch.316, 18 Apr.
- f **Mon.** Amdg. C.C. §1000 rel. to powers of electrical company. 1§ '07 ch.192, 7 Mar.
- g **N. Y.** Allowing villages to light certain undedicated streets. Adds §170 to village law '97 ch.414. 1§ '07 ch.93, 3 Apr.
- h **N. Y.** Establishing 2 Public Service Comns., 1 for city of New York, 1 for rest of state, of 5 members each; appointed by Gov. and Senate; term 5 years; salary \$15,000; gen. control of railroads, street railways, express, car, sleeping car, freight, gas and electrical companies; practice before comn.; immunity of witnesses; service and charges of such corporations; discriminations; publication of schedules; passes prohibited; investigation of accidents; uniform system of accounts; transfer of franchises; stock, bonds etc.; inspection of meters; summary proceedings; reports of corp.; annual report of comn. to Legis.; penalties. Rep. sundry laws and abolishes Railroad, Gas and Electricity, and Rapid Transit Comns. 78§ '07 ch.429, 6 June
- i **N. Y.** Comr. of public safety of city of Syracuse to have supervision of public lighting, to investigate power and quality of gas and electricity furnished to public; maximum price of gas 95c per M.; quality and pressure; meters; penalties. 18§ '07 ch.457, 10 June

2633

- j Pa.** County comrs. may contract for drilling gas wells in lands owned by county to light and heat county buildings. 3§  
'07 ch.82, 23 Apr.
- k Tex.** Interurban electric railways: right of eminent domain; authority to sell electric light and power. 7§  
'07 ch.15, 9 Mar.

2635

**Municipal plants**

- a Kan.** Amdg. '05 ch.115 §1, 5 rel. to mun. water and light plants: bills against such plants to be presented to bd. of comrs. and by them certified to city council; income of such plants may be used to pay interest on bonds issued for the works. 3§  
'07 ch.134, 11 Mar.
- b Minn.** City of 50,000 may issue bonds for \$2,000,000 to erect gas works and plant. 3§  
'07 ch.376, 24 Apr.
- c Neb.** City of 2d class or village owning lighting plant or waterworks may sell light, power or water. 1§  
'07 ch.19, 23 Feb.
- d Neb.** Amdg. C.S.'05 §1595: city of 5000-25,000 may issue bonds to amount of \$150,000 [\$50,000] for waterworks or lighting plants, on vote of 3/5 [majority] of electors voting on proposition. 2§  
'07 ch.14, 5 Apr.
- e Wis.** Amdg. S.'98 §776 subdiv.13: town containing village of 1000 may acquire water or light plant. 1§  
'07 ch.32, 27 Mar.
- f Wis.** Amdg. '01 ch.236 §1 to be S.'98 §926 subdiv.101 rel. to city operating electric light or power plant. 1§  
'07 ch.327, 21 June
- g Wis.** City owning electric light or power plant may appoint public lighting comm. to supervise same. Adds S.'98 §926 subdiv.101j-n. 5§  
'07 ch.467, 1 July
- h Wy.** Cities and towns may erect plants to furnish electric light and power; referendum. 11§  
'07 ch.92, 21 Feb.

2638

**Companies***See also 2035, Petroleum and gas*

- a Ala.** Companies organized to develop water power and electrically transmit same may construct dams and locks in navigable rivers. 1§  
'07 p.358, 7 Mar.
- b Ind.** Authorizing formation of companies to furnish electricity for heating, lighting and power. 10§  
'07 ch.172, 9 Mar.
- c Nev.** Electric light lines and all power lines subject to law rel. to telegraph lines; penalty for interference with transmission of power or injury to property. 2§  
'07 ch.190, 29 Mar.

2640

**Eminent domain**

- a Ark.** Giving electrical corp. right of eminent domain. 17§  
'07 ch.120, 28 Mar.
- b Ark.** Amdg. S.'04 §2926: water and electric power companies given right of eminent domain. 1§  
'07 ch.130, 29 Mar.
- c Mo.** Authorizing condemnation proceedings by electric power company to divert waters of river by tunnelling through neck of land in river. 2§  
'07 p. 334, 20 Mar.

2640

- d **N. C.** Amdg. Revisal '05 §1573: electric transmission, light and power companies given right of eminent domain for water power purposes. 2§ '07 ch.74, 31 Jan.
- e **N. C.** Amdg. Revisal '05 §2575, 2580: power of eminent domain given to electric light plants. 3§ '07 ch.783, 8 Mar.
- f **Wash.** Granting power of eminent domain to corp. generating and transmitting electricity. 4§ '07 ch.159, 13 Mar.
- g **Wis.** Amdg. S.'98 §1777a: municipality or electric company may flood lands by right of eminent domain to form ponds for power purposes. 1§ '07 ch.277, 20 June
- h **Wis.** Amdg. S.'98 §1778a: telegraph, telephone and power transmission companies given right of eminent domain over railroad right of way. 1§ '07 ch.631, 13 July
- i **Wis.** Amdg. S.'98 §1778a, d: telegraph, telephone, power, heat and light companies may condemn land. 2§ '07 ch.662, 16 July

2642

*Meters. Quality of light*

- a **Mon.** Mun. council may regulate inspection and measuring of gas and electric light or power. 1§ '07 ch.57, 1 Mar.
- b **N. Y.** Fixing standards of purity, illuminating power and pressure of gas in city of 2d class. 5§ '07 ch.557, 27 June

2643

*Rates*

- a **Ind.** City of 100,000 not to contract for itself or inhabitants for gas of less than 600 British thermal units or at price of more than 60c per thousand; referendum; existing companies and contracts; penalty. 6§ '07 ch.103, 4 Mar.

2645

*Placing of poles, wires, pipes etc.*

*See also 1418, Telegraph and telephone*

- a **Mo.** Amdg. '01 p.233 §1: requiring assent of County Court to suspension of electric light or power wires in highway. 1§ '07 p.410, 20 Mar.
- b **Wis.** Amdg. S.'98 §925 subdiv.52 ¶31: city of 4th class of over 5000 may require electric wires to be placed underground. 1§ '07 ch.119, 21 May

2648

**Water**

*See also 1079, Pollution of water; 1180, Control of water*

- a **Mass.** Amdg. '95 ch.488 §3 rel. to Metropolitan Water District: water may be supplied any municipality or water company *in case of fire or other emergency*. 1§ '07 ch.349, 3 May
- b **N. J.** Establishing State Water Supply Comn.: 5 members appointed by Gov. and Senate for 5 years, salary \$2500; supervision of potable water; plans for supplying water to be approved by comn.; may require annual report from water corporations; tax on water diverted in excess of 100 gallons per capita; annual report. 10§ '07 ch.252, 17 June



2648

- c N. J. Empowering State Water Supply Comn. to construct reservoirs for storage of flood waters; water supply districts; bond issue; may sell water and sell or lease power. 10§ '07 ch.253, 17 June
- d N. Y. Amdg. '00 ch.451 §1, 2, 4 rel. to establishing water districts in towns: petition to be signed by majority of owners of taxable real property [representing majority of such property]; publishing; proceedings of town bd. 3§ '07 ch.254, 30 Apr.
- e N. Y. Establishing water dept. in city of Cortland. 25§ '07 ch.698, 22 July
- f Wash. Granting right to overflow state land for water power or storage plant; Bd. of State Land Comrs. to appraise damage. 3§ '07 ch.125, 11 Mar.
- g Wash. County comrs. may grant franchise to lay water pipes along highway. 1§ '07 ch.238, 18 Mar.

2649

**Eminent domain**

- a N. C. Street railways may build and maintain water power plants; eminent domain. 3§ '07 ch.302, 23 Feb.
- b Pa. Amdg. '87 ch.152 §1: city or borough may condemn streams *and springs* and rights of way for waterworks; *provided owner be not deprived of use of water for domestic or farm purposes.* 1§ '07 ch.75, 15 Apr.
- c Tenn. Amdg. '77 ch.104 §2 rel. to right of eminent domain of water company: not to apply to *unincorporated* [incorporated] town. 1§ '07 ch.33, 6 Feb.
- d Tenn. Giving right of eminent domain to water company supplying town of 500 to 600; procedure. 4§ '07 ch.78, 15 Feb.
- e Tenn. Incorporated cities and towns from 500 to 5000 may condemn water supply and right of way for pipe line. 3§ '07 ch.159, 21 Mar.

2650

**Municipal works**

- a Ala. Authorizing mun. corp. of adjoining state to acquire property in Ala. to procure water supply, and to furnish municipality of Ala. with water. 5§ '07 p.588 7 Aug.
- aa Ala. Authorizing city or town to operate waterworks; bond issue; water comn. 2§ '07 p.586, 10 Aug.
- ab Col. Extension of water mains in incorporated town. 2§ '07 ch.237, 3 Apr.
- b Ill. Purchase or lease of waterworks systems by cities, villages and towns; bonds. 5§ '07 p.201, 20 May
- c Ia. Rep. C. §955a rel. to compensation of waterworks trustees in special charter cities of 30,000. 1§ '07 ch.46, 23 Feb.
- d Ia. Providing for waterworks bd. of 3 in special charter cities of 35,000. 3§ '07 ch.47, 28 Feb.
- e Kan. Cities of 1st and 2d classes may acquire and operate waterworks; bonds; taxes. 9§ '07 ch.135, 9 Mar.
- f Kan. Amdg. '05 ch.115 §1, 5 rel. to mun. water and light plants: bills against such plants to be presented to bd. of comrs. and by them certified to city council; income of such plants may be used to pay interest on bonds issued for the works. 3§ '07 ch.134, 11 Mar.

2650

- g Mass.** Installation of meters by municipalities supplied by metropolitan water system. 3§ '07 ch.524, 15 June
- h Minn.** City under 10,000 may issue bonds to acquire or construct waterworks; referendum. 6§ '07 ch.67, 27 Mar.
- i Neb.** City of 2d class or village owning lighting plant or waterworks may sell light, power or water. 1§ '07 ch.19, 23 Feb.
- j Neb.** Amdg. C.S.'05 §1595: city of 5000-25,000 may issue bonds to amount of \$150,000 [\$50,000], for waterworks or lighting plants, on vote of 3/5 [majority] of electors voting on proposition. 2§ '07 ch.14, 5 Apr.
- k Neb.** Amdg. C.S.'05 §1803 rel. to waterworks in cities of less than 5000 and villages. 2§ '07 ch.17, 5 Apr.
- n Neb.** City or village may create water main districts, and lay water mains by special assmt. 7§ '07 ch.21, 6 Apr.
- p N. H.** Towns and precincts may own waterworks. 8§ '07 ch.126, 4 Apr.
- q N. J.** Cities owning water mains may extend system; bonds. 3§ '07 ch.128, 7 May
- r N. J.** Income from waterworks of incorporated towns to be applied to 1st maintenance, 2d interest on bonds, 3d sinking fund; balance to extension and maintenance of waterworks and sewers. 2§ '07 ch.207, 15 May
- s N. J.** Amdg. '06 ch.302 §10 rel. to water bonds of cities other than of 1st class: *no minimum time to run* [20 years]; interest not to exceed 5 [4]%. 1§ '07 ch.233, 8 June
- t Pa.** Municipalities owning water systems may relocate roads destroyed by overflow of reservoirs, and condemn land to preserve water supply from contamination. 3§ '07 ch.129, 7 May
- u Pa.** Acquisition of private water systems by cities and boroughs; Court of Common Pleas to appoint appraisers; bond issue. 8§ '07 ch.256, 31 May
- v Pa.** Amdg. '01 ch.264 §1 authorizing boroughs and incorporated towns to acquire property for certain public buildings and works: filter plants included. 1§ '07 ch.264, 1 June
- w Wis.** State Bd. of Control may convey to city of 4th class 1 acre of state land for waterworks. Adds S.'98 §561t. 1§ '07 ch.618, 12 July

2652

*Water tax*

- a Col.** Amdg. '05 ch.142 §10 rel. to water bonds in city of 10,000: special tax to pay principal *and interest*. 1§ '07 ch.242, 9 Apr.
- b Kan.** Special tax for light and water fund in cities of 2d class of over 10,000. 1§ '07 ch.126, 7 Mar.

2655

**Water companies**

- a Cal.** County recorders to record contracts with subscription agreements to stock in water users associations in form books furnished by association. 1§ '07 ch.407, 20 Mar.
- b N. J.** Unlawful to pipe water into municipality maintaining public water supply without consent of authorities. 4§ '07 ch.265, 11 Oct.

# PUBLIC WORKS SEWERAGE

2655

- c **N. Y.** Amdg. transportation corp. law '90 ch.566 §81 rel. to town contracts with water corp.: where population of district under 10,000 contract may be for more than 10 years. 1§ '07 ch.629, 19 July
- d **Pa.** Water companies to supply municipalities in which source of supply is located; remedies; penalties. 3§ '07 ch.212, 28 May
- e **Pa.** Incorp. and consolidation of water companies. 5§ '07 ch.307, 7 June

2657

## *Rates*

- a **Id.** Amdg. R.S.'87 §2711 rel. to comrs. to fix water rates to be charged by individual or corp. 1§ '07 p.555, 16 Mar.

2661

## **Sewerage. Garbage.**

*See also* 1079, Pollution of water; 1192, Drainage; 2707, Street improvement

- a **Ala.** Municipalities may construct sewers, prescribe rules for plumbing and compel house connection with such sewers. 2§ '07 p.398, 12 Mar.
- b **Ill.** Amdg. '89 p.126 §3 rel. to filling of vacancies in office of trustees of sanitary district. 1§ '07 p.287, 27 Feb.
- c **Ill.** Creation of sanitary districts in two counties. 28§ '07 p.289, 17 May
- d **Ill.** Amdg. '89 p.126 §4, 8, 9, 11, 12, 19 and adding §19a rel. to sanitary districts. 7§ '07 p.284, 25 May
- e **Kan.** Amdg. and supplementing '05 ch.112 rel. to street and sewer improvements. 8§ '07 ch.116, 1 Mar.
- f **Kan.** Construction of sewers in cities of 1st class, of more than 50,000; districts; special assmts.; condemnation. 2§ '07 ch.119, 9 Mar.
- g **Mass.** Amdg. R.L. ch.49 §24: records of sewers to be kept in clerk's office *or where determined by ordinance*. 1§ '07 ch.365, 3 May
- h **Minn.** Amdg. '03 ch.312 §23 rel. to construction of sewer system by city under 10,000; proceedings begun before home rule charter takes effect may be carried out. 1§ '07 ch.141, 10 Apr.
- i **Mo.** Amdg. R.S.'99 §5848: district sewer in city of 3d class may connect with main branch without district. 1§ '07 p.101, 21 Mar.
- j **Neb.** Sewerage system in city of less than 5000 or village. Rep. C.S.'05 §1735, 1737, 1738. 4§ '07 ch.20, 27 Mar.
- k **N. H.** Amdg. P.S. ch.108 §8, 11: public sewer one maintained at public expense or open for gen. use on payment of fee; such fee not to be unreasonable. 3§ '07 ch.106, 3 Apr.
- n **N. J.** Amdg. '90 ch.195 §1 rel. to construction of sewers by villages and towns. 1§ '07 ch.82, 17 Apr.
- p **N. J.** Amdg. '90 ch.1131 §5 authorizing cities to contract with other municipalities for construction of sewerage systems. 2§ '07 ch.88, 17 Apr.
- q **N. J.** Boroughs may issue 40 year sewer bonds; may contract with other municipalities for construction of sewerage system. 3§ '07 ch.90, 17 Apr.
- r **N. J.** Amdg. '06 ch.321 §5 rel. to additional mode of procedure in constructing sewers. 1§ '07 ch.169, 13 May

2661

- s** **N. J.** Bd. of aldermen in cities of 3d class may establish bd. of sewer comrs. of 5; term 5 years; duties. 9§ '07 ch.196, 15 May
- t** **N. J.** Amdg. '05 ch.77 t.: "An act to authorize incorporated towns or townships to construct sewers . . . and to provide for the cost, *maintenance and operation thereof*." 1§ '07 ch.226, 27 May
- u** **N. J.** Taking from Bd. of Water Comrs. control of sewers and sewerage disposal plants in towns and townships and giving same to governing body; latter to appoint comm. of 3 taxpayers to have immediate charge; assmts. on property benefited. 12§ '07 ch.227, 27 May
- v** **N. J.** On petition of owners of 75% of lineal frontage of property affected, governing body of village may extend sewer system; hearing; bond issue. 2§ '07 ch.251, 17 June
- w** **N. J.** Cities may construct sewer systems; cost to be borne by city at large; bond issue; rental; referendum. 9§ '07 ch.266, 11 Oct.
- x** **N. Y.** Amdg. '01 ch.348 §1, 5 rel. to sewer systems outside villages and cities; additional amounts may be expended on supplemental petition of taxpayers. 2§ '07 ch.217, 25 Apr.
- y** **Pa.** Amdg. '89 ch.229 §1: borough council may construct sewers and assess cost [on petition of majority of property owners]; *must have permit of Comr. of Health*. 2§ '07 ch.81, 23 Apr.
- z** **Wash.** City of 1st class may fill cesspools and remove garbage and weeds from property; cost lien on property. 2§ '07 ch.89, 9 Mar.
- za** **Wis.** Amdg. S.'98 §925 subdiv.214 rel. to letting contract for building sewer in city: where no bid received council may direct work to be done by officer. 1§ '07 ch.221, 14 June
- zb** **Wis.** Cities of 2d to 4th classes may construct sewer systems. Adds S.'98 §925 subdiv.270-95. 26§ '07 ch.673, 16 July

2663(5

### Garbage

- a** **Ct.** City or borough may establish garbage disposal plant outside limits with permission of health officer and selectmen of town; transportation of garbage and conduct of plant to be sanitary. 4§ '07 ch.182, 5 July
- b** **Pa.** Boroughs may maintain garbage furnaces; may make rules for care and removal of garbage. 2§ '07 ch.181, 25 May
- c** **Wis.** Cities and villages may remove ashes, garbage and rubbish from residences; gen. tax or assmt. on property benefited. 1§ '07 ch.187, 6 June

2664

### House connections

*See also* 1106(5, Plumbing; 2738, Disturbing pavement

- a** **Ark.** Amdg. S.'04 §5728: msdr. to fail to connect with sewer at order of Bd. of Health. 1§ '07 ch.346, 18 May
- b** **N. J.** Amdg. '96 ch.107 §4, 6 rel. to house connections with sewers. 2§ '07 ch.60, 13 Apr.

2667

### Joint trunk and outlet sewers

- a** **Mo.** Amdg. R.S.'99 §5847, 5849: joint district sewers authorized in city of 3d class. Adds §5848a. 3§ '07 p.99, 21 Mar.

# PUBLIC WORKS SEWERAGE

2667

- b **N. J.** Prohibiting discharge of sewage into Passaic river below Great Falls after 1912; providing for construction of intercepting sewers by municipalities affected and Passaic Valley Sewerage Comm. 12§ '07 ch.10, 18 Mar.
- c **N. J.** Cities through which stream runs may construct intercepting sewers. 4§ '07 ch.110, 25 Apr.

2668

## Municipal purchase

- a **N. J.** Township committees may acquire sewers; procedure; bond issue; assmts. 10§ '07 ch.241, 11 June

2670

## Sewage disposal

- a **Ia.** Authorizing levy of 3 mills in cities of 2d class and towns for outlets and purifying plants for sewers. 1§ '07 ch.41, 26 Mar.
- b **Kan.** Cities of 3d class may empty sewage into streams within 5 miles of city limits under regulations now applying to 2d class cities. 1§ '07 ch.130, 28 Feb.
- c **N. J.** Municipality may establish sewage disposal plant. 12§ '07 ch.285, 29 Oct.
- d **N. Y.** Construction of intercepting sewers for city of Syracuse. 18§ '07 ch.356, 23 May
- e **N. C.** Amdg. Revisal '05 §3052 rel. to removal of human excrement by towns etc. not having sewerage system: *to be burned or buried* [tub system required]. 1§ '07 ch.585, 5 Mar.
- f **N. D.** Amdg. R.C.'05 §2771 rel. to sewers: objectionable matter drained into lake to be treated by septic tank system. 1§ '07 ch.229, 8 Mar.

2671

## Sewer assessments

- a **Mass.** Amdg. R.L. ch.49 §15 rel. to apportioning sewer assmts. 1§ '07 ch.177, 8 Mar.
- b **Minn.** Authorizing bond issue of \$500,000 by city of 50,000 in anticipation of street improvement and sewer construction. 4§ '07 ch.265, 19 Apr.
- c **N. J.** Assmt. of property omitted in original sewer assmt. 2§ '07 ch.129, 7 May
- d **Wy.** Amdg. '03 ch.7: *cities and towns* [cities of 10,000] may levy special sewer assmts. 1§ '07 ch.62, 16 Feb.

2672

## Sewer bonds

- a **Minn.** City of 50,000 may issue \$500,000 of bonds for construction of sewers. 4§ '07 ch.52, 21 Mar.
- b **Minn.** Village may issue \$20,000 of bonds for construction of sewers by vote of people. 2§ '07 ch.279, 22 Apr.
- c **N. J.** Providing for election to exceed \$100,000 limit for sewerage system in towns and townships; not to exceed \$150,000. 1§ '07 ch.79, 16 Apr.
- d **Wis.** Amdg. S.'98 §925 subdiv.235 rel. to issuing sewer bonds by city. 1§ '07 ch.170, 6 June
- e **Wis.** Issuance of sewer bonds in city divided into sewer districts. Adds S.'98 §925 subdiv.239d. 1§ '07 ch.251, 19 June

2673

**Sewerage companies**

- a **Ind.** Where city of 16,000 to 20,000 is unable to pay assmt., sewers to remain property of constructing contractor; city may run franchise to such contractor to operate such sewer. 2§  
'07 ch.245, 11 Mar.
- b **Mo.** Amdg. R.S.'99 §5970a rel. to private sewers in city of 4th class: appropriation by city. Adds §5970b-d. 4§ '07 p.107, 22 Mar.

2676

**Waterways**

- a **N. J.** Cities may improve waterways that drain city and abutting land. 4§ '07 ch.111, 25 Apr.
- b **Pa.** Cities of 3d class may inclose and pave streams other than navigable; ascertainment of damages; assmt. for benefits. 7§  
'07 ch.272, 1 June

2678

**Public art and improvement**

- a **Pa.** Creating art jury in cities of 1st class to consist of mayor and 9 appointed by him; qualifications of appointives; works of art coming into possession of city to be approved by jury; to report with recommendations to mayor annually. 6§ '07 ch.192, 25 May

2679

**Parks. Public grounds**

*See also 798, State parks*

- a **Ark.** Title of municipality to street or park not to be lost through adverse possession. 2§ '07 ch.426, 28 May
- b **Col.** Amdg. '05 ch.128 §3 rel. to appointment and terms of park comrs. of city. 1§ '07 ch.236, 25 Mar.
- c **Ill.** Amdg. '99 p.100 §1, 2: cities not exceeding 15,000 [5,000] may acquire land for parks in or *within 4 miles of* [adjoining] the city; bonds and taxes. 2§ '07 p.431, 27 Feb.
- d **Ill.** Townships may acquire and maintain parks; park tax. 3§  
'07 p.437, 2 Mar.
- e **Ill.** Park comrs. may acquire submerged and shore lands for park purposes, and issue bonds on vote of district to pay therefor. 4§  
'07 p.433, 2 May
- f **Ill.** Cities of less than 50,000 may levy annual tax not over 2 mills for park purposes. 1§ '07 p.432, 13 May
- g **Ill.** Park comrs. now submitting annual report Dec. 1, hereafter to report on last day of Feb. 1§ '07 p.433, 25 May
- h **Ind.** Establishing dept. of parks in cities of 1st class; bd. of park comrs., 4 members appointed by mayor for 4 years, bipartisan; to have supervision of parks, boulevards and playgrounds; powers. 15§  
'07 ch.274, 12 Mar.
- i **Ia.** Amdg. C. §850-62 rel. to park comrs. in cities. 15§  
'07 ch.42, 13 Apr.
- j **Kan.** Parks, boulevards and public buildings in cities of more than 50,000. Rep. '03 ch.128. 50§ '07 ch.115, 1 Mar.

# PUBLIC WORKS , PARKS

2679

- ja **Mass.** Metropolitan Park Comn. to provide bands; may expend \$25,000 therefor. 1§ '07 ch.433, 17 May
- k **Minn.** City over 50,000 may issue \$300,000 of bonds for parks and parkways. 4§ '07 ch.93, 4 Apr.
- n **Minn.** Park comrs. of city of 50,000 may regulate travel on parkways. 2§ '07 ch.440, 25 Apr.
- p **Mon.** County comrs. to vacate park on unincorporated town site on petition of owners of  $\frac{3}{4}$  of fronting property. 2§ '07 ch.60, 1 Mar.
- q **N. J.** Amdg. '95 ch.91 §1, 2 rel. to parks in counties of 200,000. 2§ '07 ch.95, 22 Apr.
- r **N. M.** Governing body of city or town may improve parks and plazas on petition of 25 freeholders. Rep. '05 ch.6. 6§ '07 ch.38, 18 Mar.
- s **N. Y.** Park bd. for city of Utica. 10§ '07 ch.351, 16 May
- t **N. Y.** Abolishing bd. of park comrs. in city of Yonkers. 1§ '07 ch.448, 7 June
- u **N. Y.** Creating Bronx Parkway Comn.; 3 members appointed by Gov. for 5 years, salary \$2500; to acquire and preserve lands along Bronx river; cost to be apportioned  $\frac{3}{4}$  to city of New York and  $\frac{1}{4}$  to Westchester county. 20§ '07 ch.594, 17 July
- v **N. D.** City may create park districts. Rep. '05 ch.143. 9§ '07 ch.179, 2 Mar.
- w **Pa.** Cities may appropriate private property for parks and acquire property within 200 feet of park for purpose of resale with restrictions for protection of park. 6§ '07 ch.315, 8 June
- x **R. I.** Duties of Comrs. of Metropolitan Park District of Providence Plantations. 10§ '07 ch.1466, 23 Apr.
- y **Tenn.** Levy of 20c on \$100 in city or taxing district of 100,000 for parks and boulevards. 3§ '07 ch.7, 6 Feb.
- z **U.** Bd. of park comrs. in city of 2d class. 9§ '07 ch.112, 14 Mar.
- za **Wash.** Authorizing formation of metropolitan park district by city of 1st class and contiguous territory; referendum. 22§ '07 ch.98, 11 Mar.
- zb **Wis.** City may vacate public ground, waterway, street or alley; procedure. Adds S.'98 §926 subdiv.125k-q. 7§ '07 ch.569, 11 July
- zc **Wis.** Amdg. '99 ch.181 §1, 3, 4. to be S.'98 §926 subdiv.17, 19, 20 rel. to creation of park districts in city of 3d or 4th class. Adds S.'98 §776n. 4§ '07 ch.585, 12 July
- zd **Wy.** Cities and towns may acquire land and water rights for parks; bond issue and levy; referendum. 11§ '07 ch.90, 20 Feb.

2681

## Boulevards and driveways

- a **Ill.** Park comrs. may issue bonds on vote of district, to construct boulevards and driveways connecting with other park systems in same city. 1§ '07 p.428, 25 May
- b **Ill.** Lincoln Park Bd. (Chicago) may issue 20 year bonds up to \$1,000,000, for construction of surface or elevated approaches. 5§ '07 p.430, 25 May

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- c Ill. Cities, towns and villages may permit construction by park comn. of elevated or surface boulevards. 1§ '07 p.436, 25 May
- d Ill. Cities, towns and villages may construct elevated or surface ways in any street, and turn them over to park bd. 1§ '07 p.436, 25 May

2684

## Debts. Bonds

- a Ill. Townships may issue bonds for park purposes under certain conditions. 7§ '07 p.438, 2 Mar.
- b N. J. County bds. of chosen freeholders may issue bonds for acquisition and improvement of parks. 2§ '07 ch.59, 13 Apr.
- c R. I. Bond issue of \$250,000 to acquire and improve lands in Metropolitan Park District of Providence Plantations. 4§ '07 ch.1435, 17 Apr.

2685

## Eminent domain

- a Ct. Town, *borough or fire district* may lay out public square *and acquire property therefor by condemnation*. Amds. G.S.'02 §1933. '07 ch.121, 12 June
- b Ill. Certain comrs. may exercise right of eminent domain; may issue bonds on vote of district. 3§ '07 p.427, 4 Mar.

2689

## Ordinances. Regulations

- a Ill. Park comrs. may make agreements with mun. authorities for confinement in houses of correction of persons convicted of violation of park ordinances. 3§ '07 p.440, 25 May

2691

## Park corporations

- a Wis. Amdg. '99 ch.55 §7 rel. to park corp. in city except of 1st class: mayor and member of council to be on bd. of directors; council on recommendation of directors may appoint supt. Adds §3a. 2§ '07 ch.138, 23 May

2694

## Play grounds. Recreation piers

- a N. J. Cities may construct recreation piers. 3§ '07 ch.109, 25 Apr.
- b N. J. Public playgrounds in cities and maintenance and control thereof. 5§ '07 ch.117, 7 May

2696

## Public entertainment

- a Kan. Cities of 1st class between 42,000 and 60,000 may levy tax of 1/5 mill for public concerts. Rep. '05 ch.102. 2§ '07 ch.120, 12 Mar.
- b Minn. City of 50,000 may construct auditorium. 2§ '07 ch.57, 21 Mar.
- c Vt. Amdg. '96 ch.63 §1: cities, villages and *towns* may vote appropriation for open air musical entertainments. 1§ '06 ch.100, 16 Nov.

2698 Baths, comfort stations and gymnasiums

- a Minn. Establishment of public bath in city of 20,000 to 50,000. 9§ '07 ch.22, 27 Feb.



## ROADS

2698

- b U.** Amdg. R.S.'98 §1369: vote of electors of city of 3d class or town for establishment of public library *and gymnasium*. 1§  
'07 ch.94, 14 Mar.

2700

### Roads. Streets

- a Ala.** Authorizing transfer of surplus of gen. county funds to road fund. 2§  
'07 p.304, 6 Mar.
- aa Ala.** Amdg. '03 p.412 §8 rel. to road district *or county* election for levying tax to improve roads. 1§  
'07 p.701, 13 Aug.
- ab Ala.** Town or city operating dispensary and not dividing profits with county may give not more than 40% of profits to county for road improvements. 2§  
'07 p.726, 13 Aug.
- b Ari.** Amdg. R.S.'01 §3967, 3973-77 rel. to garnishment for road work or tax; rate of road tax; tax and funds for road warrants. 7§  
'07 ch.95, 21 Mar.
- c Ark.** Providing for working roads by contract where tax levied; appointment and duties of road comr.; specifications; contract to be let to lowest bidder. 9§  
'07 ch.273, 7 May
- d Ark.** Title of municipality to street or park not to be lost through adverse possession. 2§  
'07 ch.426, 28 May
- e Col.** State Agric. College to investigate animal industries, improvement of crops and fruits, establish farmers institutes, experiment with farm and road machinery; \$45,000.  
12§ '07 ch.76, 15 Apr.
- f Ill.** Adding §4a to '83 p.132 rel. to issuance of bonds by townships and road districts to pay for construction of hard roads. 1§  
'07 p.503, 3 June
- g Ind.** County comrs. may require loaded wagons to have friction locks; penalty. 3§  
'07 ch.45, 25 Feb.
- h Ind.** Amdg. '05 ch.169 §655 rel. to dumping rubbish in highways. 1§  
'07 ch.149, 9 Mar.
- i Ind.** Amdg. '03 ch.124 §1 rel. to repairing highways on which rural free delivery routes are established. 1§  
'07 ch.180, 9 Mar.
- j Ind.** Amdg. '05 ch.169 §419 rel. to heavy hauling: gravel road to include road graded with 1 yard of gravel to 8x9 feet of road. 1§  
'07 ch.234, 11 Mar.
- k Ia.** Sec. of State to compile and publish 6000 copies each of drainage and road laws. 1§  
'07 p.290, 22 Feb.
- n Ia.** Publication and distribution of 10,000 copies of report of Highway Comm. for 1906-7. 1§  
'07 p.291, 11 Mar.
- p Mich.** C.L.'97 §4169 rel. to power of town comr. to construct and improve road: approval of township bd.; bids; township officers not to be interested in contract. 1§  
'07 ch.37, 3 Apr.
- q Mich.** Amdg. '03 ch.231 §1, 2, 5 rel. to townships borrowing money for construction of road *and bridges*: 60% [ $\frac{3}{5}$ ] of voters to approve; supervision. 3§  
'07 ch.47, 17 Apr.
- r Mich.** Amdg. '93 ch.149 rel. to county and township system of roads. 15§  
'07 ch.82, 8 May
- s Mich.** Road repair tax and highway improvement tax; methods of carrying on work. Rep. C.L.'97 §4072-4103. 21§ '07 ch.108, 22 May

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- t Mich.** Tax levy or sale of bonds for improvement of highways in county adopting county road system. 5§ '07 ch.168, 18 June
- u Minn.** Amdg. R.L.'05 §1205: additional levy of 1½ mills for road and bridge purposes in counties of \$1,000,000 to \$15,000,000 valuation. Rep. '05 ch.195. 2§ '07 ch.39, 13 Mar.
- v Minn.** Town to pay damages caused by work on supposed highway on vote of electors. 1§ '07 ch.150, 11 Apr.
- w Minn.** Amdg. R.L.'05 §784 subdiv.2: county may issue bonds to open and improve county road. 1§ '07 ch.297, 22 Apr.
- x Minn.** Amdg. '05 ch.80: county comrs. may expend \$500 [\$300] for roads and bridges in any town, *city or village*. Rep. '95 ch.287 §1, 3. '07 ch.361, 23 Apr.
- y Minn.** Requesting Cong. to authorize loan of public money for improvement of roads. '07 p.801, 23 Apr.
- z Minn.** Submitting amdt. to Const. 1857 art.9 §16 rel. to annual tax for road and bridge fund: limit of 1/20 of mill removed. 3§. Vote Nov. 1908. '07 ch.478, 24 Apr.
- za Minn.** In county under 200,000 bd. may appoint supt. of highways; town bd. to appoint road inspector; town road overseer abolished. 2§ '07 ch.458, 25 Apr.
- zb Mo.** Authorizing improvement of highway by use of drag. Adds R.S.'99 §966ww, xx, yy, zz, aaa. 5§ '07 p.409, 19 Mar.
- zc Mo.** County Court with assent of voters may issue bonds for road improvement. 6§ '07 p.411, 19 Mar.
- zd Mo.** Amdg. R.S.'99 §9424-46 rel. to roads. 15§ '07 p.394, 20 Mar.
- ze Neb.** County bd. may exercise right of eminent domain for protection of roads and bridges from damage by water. 4§ '07 ch.113, 29 Mar.
- zf Nev.** County comrs. may grant right of way along public roads to certain kinds of corporations. 6§ '07 ch.196, 29 Mar.
- zg N. J.** County bds. of chosen freeholders may prescribe penalty of \$100 for tearing up and obstructing of roads and streets. 4§ '07 ch.77, 16 Apr.
- zh N. M.** Amdg. '05 ch.124 §24-26, 34-35 rel. to road districts; bond, accounts and compensation of road overseer. 5§ '07 ch.53, 20 Mar.
- zi Or.** Requesting Cong. to appropriate \$10 per mile for maintenance of roads through forest reserves. '07 p.512, 18 Feb.
- zj Pa.** Extending provisions of '60 ch.61 §13 rel. to roads and bridges in York county to other counties. 2§ '07 ch.185, 25 May
- zk S. D.** Highways: town may abolish highway labor; supervisor to replace road overseer; poll road tax; levy; contracts. 8§ '07 ch.162, 9 Mar.
- zn Tex.** Authorizing issue of road bonds by county or subdiv. thereof on ⅔ vote of taxpayers. 7§ '07 ch.134, 18 Apr.
- zp Tex.** Submitting amdt. to Const. 1876 by adding art.8 §9a: road tax or bond issue may be authorized by majority vote of taxpayers of county or subdiv. 2§. Rejected Aug. 1907. '07 p.415
- zq Vt.** "An act to improve the public roads and to establish a State Highway Commn." 16§ '06 ch.111, 22 Nov.

## ROADS

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- zt** **Vt.** Amdg. S. §3464 rel. to cutting trees, brush etc. in highways; selectmen to notify adjoining owners; on failure to remove to be done at owner's expense; penalty \$5 to \$20. 4§ '06 ch.110, 14 Dec.
- zs** **Wash.** Creating State Highway Comr.; appointed by Gov. for 4 years, salary \$2500; also State Highway Bd. to consist of State Auditor, State Treasurer and State Highway Comr.; supervision of construction of state roads. Rep. '05 ch.174 §1-8. 13§ '07 ch.149, 12 Mar.
- zt** **Wis.** Rep. '99 ch.352 rel. to construction of macadamized roads. 1§ '07 ch.100, 15 May
- zu** **Wis.** Amdg. S.'98 §1275 rel. to laying out highway to land excluded therefrom. 1§ '07 ch.129, 23 May
- zv** **Wis.** Amdg. '01 ch.312 §1, 2 to be S'98 §1311 subdiv. 1, 2 rel. to county aid for highways: county highway comr. created; supervision; levy; apportionment of expense. Adds S.'98 §1311 subdiv.4-25. 24§ '07 ch.487, 9 July
- zw** **Wis.** Amdg. sundry sections of S.'98 rel. to improvement of roads and bridges by county. 18§ '07 ch.552, 10 July
- zx** **Wis.** Wis. Geological and Natural History Survey to experiment in road building; to survey lead and zinc region, and water power; \$20,000. Adds S.'98 §392m. 1§ '07 ch.641, 15 July

2702

### State road systems and state aid

- a** **Ala.** Submitting amdt. to Const. 1901 §93: Legis. may apply net proceeds from state convict fund to construction and maintenance of roads, and may make additional appropriations for same purpose. 3§. Vote Nov. 1908. '07 p.740
- aa** **Col.** Appropriating \$15,000 to construct boulevard in Denver. 7§ '07 ch.4, 8 Apr.
- b** **Col.** System of state highways; to be constructed by convict labor; \$10,000. 10§ '07 ch.206, 9 Apr.
- c** **Ct.** Amdg. G.S.'02 §96: unexpended balances *except for road improvement* to be covered into treasury. 1§ '07 ch.176, 28 June
- d** **Ct.** Amdg. G.S.'02 §2086: salary of State Highway Comr. \$5000 [\$3000]; office expenses not to exceed \$8000 [\$6000]. 1§ '07 ch.188, 29 June
- e** **Ct.** Construction and improvement of highways; specifications; contracts; trunk line system; proportion to be paid for by state; maintenance. Rep. G.S.'02 §2087-88. 10§ '07 ch.264, 1 Aug.
- f** **Id.** Creating State Highway Comn. to consist of Gov., State Engineer and State Mining Inspector; to lease road for toll road where county fails to maintain. 21§ '07 p.466, 14 Mar.
- g** **Me.** Creating Comr. of Highways; appointed by Gov. and Council; term 4 years; salary \$2500; amounts to be set apart by towns and apportioned by comr.; regulations generally for improvement of highways. Rep. R.S.'03 ch.23 §99-105; '05 ch.146. 18§ '07 ch.112, 26 Mar.
- h** **Mass.** Authorizing expenditure by Highway Comn. of \$2,500,000 during 1908-12; bond issue. 2§ '07 ch.446, 24 May

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- i **Mich.** Amdg. '05 ch.146 t. and §2, 3, 9, 11, 16, 17 rel. to state aid in highway improvement. 7§ '07 ch.309, 28 June
- j **Mo.** Creating state road fund; apportionment to counties; state to pay half cost of construction and county half. 5§ '07 p.416, 30 Mar.
- k **Mo.** Submitting amdt. to Const. 1875 by adding art.10 §27: tax of 10c on \$100 for highways. 1§. Vote Nov. 1908. '07 p.457
- n **Neb.** Amdg. C.S.'05 §5186, 5194 rel. to inheritance tax: appraisement of estates; use of proceeds for road improvements. 3§ '07 ch.104, 18 Mar.
- p **N. H.** Amdg. '05 ch.35 §7, 9, 10 rel. to highways: towns and cities may do improvement work with own equipment; highway fiscal year same as calendar year; towns and counties to keep state highways open in winter; Gov. and Council may convey abandoned portion of highway. Adds §14. 5§ '07 ch.60, 14 Mar.
- q **N. J.** Gov. to appoint comn. of 5 to investigate increased cost of stone road building and feasibility of acquiring and operating by state of quarries for such purpose; report by Jan. 1908. 4§ '07 p.732, 15 Apr.
- r **N. J.** County may adopt state system of repairing roads; may place in charge of county supervisor of roads. 2§ '07 ch.182, 13 May
- s **N. Y.** Town failing to levy poll tax for highways entitled to state aid if sufficient be raised otherwise. 1§ '07 ch.382, 28 May
- t **N. Y.** Amdg. highway law '90 ch.568 §53: per cent of cost of highway improvement to be borne by state graded according to assessed valuation per mile. 1§ '07 ch.716, 24 July
- u **N. Y.** Generally amdg. '98 ch.115 rel. to improvement of highways. 20§ '07 ch.717, 24 July
- v **N. Y.** Amdg. '06 ch.469 rel. to issuing bonds for improvement of highways. 8§ '07 ch.718, 24 July
- w **N. Y.** Amdg. highway law '90 ch.568 §27, 28 rel. to uniform highway accounts by supervisor and highway comr. and annual financial report to State Engineer. 2§ '07 ch.719, 24 July
- x **N. Y.** Amdg. highway law '90 ch.568 rel. to withholding of state money for highways on failure of *town officer* [highway comr.] to comply with directions of State Engineer. 1§ '07 ch.743, 26 July
- y **Pa.** Joint legis. committee of 6 to investigate roads near Harrisburg built by State Highway Dept. '07 p.813, 15 Apr.
- z **Pa.** Amdg. '05 ch.220 §1, 9, 16-18, 20-21, 23, 25 rel. to State Highway Dept. 9§ '07 ch.325, 8 June
- za **Pa.** State Highway Comr. to have printed for distribution 10,000 copies of pamphlet containing road laws. '07 p.830, 13 June
- zb **Tenn.** Creating State Highway Comr.: appointed by Gov.; term 2 years; salary \$2500; 2 assistants; regulations as to construction; county bds.; letting contracts; apportionment of funds among counties according to area; \$500,000 annually. 18§ '07 ch.560, 15 Apr.
- zc **Wash.** Amdg. '05 ch.137 §2: levy of  $1/2$  [ $1/4$ ] of mill for highway fund. 1§ '07 ch.18, 15 Feb.
- zd **Wash.** Improvement of public highways; state to pay 50%, county 35%, road district or property benefited 15%; \$135,000. 17§ '07 ch.150, 13 Mar.

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- ze W. Va.** Gov. and Senate to appoint State Highway Inspector, term 2 years, salary \$2000; to report at next session on revision of laws with regard to improvement of highways. 8§ '07 ch.60, 24 Feb.
- zf Wis.** Submitting amdt. 10 Const. 1848 art.8 §10: state may appropriate money or levy tax for construction or improvement of public highways. 2§. Vote Nov. 1908. '05 p.991; '07 ch.238, 19 June
- zg Wis.** Submitting amdts. to Const. 1848 art.8 §1, 10: graduated income, privilege and occupation taxes, with reasonable exemptions, may be provided by Legis.; state may give aid for construction of public highways. 2§. Vote Nov. 1908. '07 ch.661, 16 July

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**Road officers. Overseers. Street commissioners**

- a Id.** County comrs. to make personal inspection of roads; control over district overseers; semiannual meetings to consider road questions; penalty for neglect. 3§ '07 p.523, 15 Mar.
- b Ill.** Amdg. '87 p.266 §49, 51 rel. to compensation to county officers for highway duties; liability of comr. of highways for damages from nonrepair; time of grading dirt roads; use of drags. 2§ '07 p.504, 24 May
- c Ill.** Amdg. '83 p.136 §118: compensation of overseers of highways \$2 [\$1.25] per day. 1§ '07 p.508, 25 May
- d Kan.** Cities of 2d and 3d classes may combine offices of marshal and street comr. 1§ '07 ch.138, 21 Feb.
- e Kan.** Amdg. '05 ch.362 §1 rel. to township comrs. of highways: not to apply to counties under special acts. 2§ '07 ch.292, 8 Mar.
- f Me.** Amdg. R.S.'03 ch.4 §13: town road comrs. term may be changed from 1 to 3 years at annual meeting. 1§ '07 ch.79, 20 Mar.
- g Mich.** Amdg. '07 ch.108 §13: road overseer to be elected as other township officers. 1§ '07 ch.197, 19 June
- h Mo.** Creating office of county highway engineer; duties. 21§ '07 p.401, 15 Mar.
- i Mo.** Creating State Highway Engineer; appointed by Bd. of Agric. for 4 years; salary \$2400; to aid in planning road on request of county and disseminate information as to best methods of construction. 10§ '07 p.406, 19 Mar.
- j Mo.** Amdg. '05 p.282 §3 rel. to election and terms of comrs. of special road district. 1§ '07 p.418, 20 Mar.
- k Neb.** Amdg. C.S.'05 §5334: compensation of district overseer to be \$2.50 per day [\$2 per day; not more than \$30 in 1 year]. 2§ '07 ch.111, 10 Apr.
- n N. D.** Amdg. R.C.'05 §1116: road overseer not to perform road work by contract during term; penalty. 1§ '07 ch.253, 16 Feb.
- p Pa.** Comrs. and viewers of roads and bridges and comrs. to run boundary lines to receive \$3 per day; surveyors \$5; 5c mileage; to be paid by petitioners. 2§ '07 ch.41, 4 Apr.
- q Tenn.** Abolishing office of turnpike comr. in county of 70,000 to 90,000 as created by '01 ch.158. 1§ '07 ch.237, 6 Apr.
- r Vt.** Amdg. S. §3460: road comr. to remove loose stones from highway and *draw same away, except where road is bordered by timber land; penalty \$5.* 2§ '06 ch.109, 14 Dec.

2704

**Road districts**

- a **Ari.** Formation of special road districts: vote by taxpayers; trustees to supervise construction and repair of roads, may levy 75c on \$100; election for levies in excess; supervisors may appropriate from gen. road fund amount to equal that raised in district. 11§ '07 ch.66
- b **Ark.** Creation of road improvement districts. 12§  
'07 ch.144, 4 Apr.
- c **Cal.** Amdg. P.C. §2745-72 rel. to permanent road divisions. 29§  
'07 ch.339, 19 Mar.
- d **Cal.** Bds. of supervisors may establish districts for improvement of roads without municipalities; bonds; objections; contracts; acceptance of work. 18§  
'07 ch.442, 21 Mar.
- e **Col.** Erection of county outside of municipalities into road district. 22§  
'07 ch.215, 15 Apr.
- f **Ind.** Amdg. '05 ch.167 §92, 94 rel. to township road districts and supervisors of such districts. 2§  
'07 ch.210, 9 Mar.
- g **Kan.** Each incorporated city of 3d class [more than 600 inhabitants] to constitute separate road district. Amds. G.S.'01 §6031. 2§  
'07 ch.295, 1 Mar.
- h **Kan.** Amdg. '05 ch.362 §5 rel. to road districts and overseers: number of districts, assistant overseers; not to apply to county under special road act. 2§  
'07 ch.294, 11 Mar.
- i **Mich.** Townships, villages and cities may form into road districts. 8§  
'07 ch.268, 27 June
- j **Mo.** Extension of boundary of special road district. Adds R.S. '99 §9633a. 1§  
'07 p.114, 21 Mar.
- k **Neb.** Amdg. C.S.'05 §5302: road district not to contain less than 1 nor more than 2 congressional townships [not to lie within 2 voting precincts or townships]. 2§  
'07 ch.108, 10 Apr.
- n **Vt.** Village to constitute highway district. Amds. S. §3121. 1§  
'06 ch.101, 19 Dec.
- p **Wash.** Amdg. '03 ch.119 §7, 12 rel. to road districts. Rep. '03 ch.119 §2-6; '05 ch.156 §1. 4§  
'07 ch.246, 19 Mar.

2706

**Road machinery and material**

- a **Ill.** Highway authorities may use drag to maintain earth roads. 5§  
'07 p.517, 1 May
- b **Ind.** Amdg. '05 ch.167 §85: method of purchasing road material. 2§  
'07 ch.124, 8 Mar.
- c **Ia.** Amdg. C. §1530: road tools and machinery may be purchased out of county road fund. 1§  
'07 ch.67, 13 Apr.
- d **Kan.** Township bd. may improve highways by use of road drag. 2§  
'07 ch.289, 1 Feb.
- e **Neb.** Use of road drag on highways. 4§  
'07 ch.112, 6 Apr.
- f **Wash.** County comrs. may acquire and operate quarries of road building material. 3§  
'07 ch.19, 18 Feb.

## ROADS

2707

### Street improvement

*See also 2569, Special assessments*

- a **Ala.** Amdg. '07 p.644 §17, 18 rel. to street improvement bond issues. 2§ '07 p.644, 14 Aug.
- aa **Ari.** Amdg. '03 ch.10 §2: on petition of  $\frac{3}{4}$  of property holders common council may pave streets and sidewalks *and construct gutters.* 2§ '07 ch.80, 21 Mar.
- b **Ind.** Incorporated towns may levy 25c on \$100 annually for improvement of streets and alleys. 1§ '07 ch.164, 9 Mar.
- c **Kan.** Amdg. and supplementing '05 ch.112 rel. to street and sewer improvements. 8§ '07 ch.116, 1 Mar.
- d **Minn.** Authorizing bond issue of \$175,000 by city of 50,000 for paving etc. at intersection of streets and in front of property exempt from taxation. 3§ '07 ch.264, 19 Apr.
- e **Minn.** Authorizing bond issue of \$500,000 by city of 50,000 in anticipation of street improvement and sewer construction assmts. 4§ '07 ch.265, 19 Apr.
- f **Mo.** Amdg. R.S.'99 §5992 rel. to paving etc. in city of 4th class. Adds §5958a. 2§ '07 p.105, 22 Mar.
- g **N. J.** Bd. of Street and Water Comrs. in cities of 1st class to make certain street improvements without appropriations therefor being first made. 3§ '07 ch.61, 13 Apr.
- h **N. J.** Streets and highways heretofore improved by assmt. may be reimproved at expense of town or borough; referendum. 4§ '07 ch.115, 6 May
- i **N. J.** Cost of reimprovement of streets to be borne by city; bond issue; referendum. 4§ '07 ch.210, 15 May
- j **N. J.** Amdg. '01 ch.21 §1 rel. to construction by cities of drive-ways and walks along ocean front: bond issue not to exceed \$400,000 [\$300,000]. 2§ '07 ch.141, 7 May
- k **N. Y.** Amdg. village law '97 ch.414 §166: expense of construct-  
ing pavement *or grading or flagging or curb* may be paid in instalments. 1§ '07 ch.44, 12 Mar.
- n **Pa.** Amdg. '97 ch.96: boroughs may improve not to exceed 1000 [500] feet of street without petition of property holders. 1§ '07 ch.130, 7 May
- p **Pa.** Boroughs may expend  $\frac{1}{2}$  road and street appropriation in improving streets. 1§ '07 ch.145, 8 May
- q **Wis.** Village bd. may improve alleys. Adds S.'98 §905m. 1§ '07 ch.142, 28 May

2709

### *Paving. Macadamizing*

- a **Id.** Amdg. '95 p.41 §1 rel. to paving and curbing street in city: not applicable to city incorporated under special law. 1§ '07 p.5, 11 Feb
- b **Mass.** Extends to cities of 50,000 provisions of '94 ch.119 authorizing Boston Bd. of Health to require paving of private passage-ways. 2§ '07 ch.256, 29 Mar.

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- c N. J. Cities may require water, sewer and gas house connections to be made before paving street; referendum. 3§  
'07 ch.96, 22 Apr.
- d N. J. Authorizing use of wood block pavement by cities. 2§  
'07 ch.116, 6 May

2710

## STREET RAILWAYS

- a Mass. Amdg. '06 ch.463 pt.3 §137: taxes received from street railways to be applied to repair of public ways [where tracks are located]. 1§  
'07 ch.318, 22 Apr.

2711

## Location. Opening. Altering. Vacating

- a Ark. Amdg. S.'04 §3007 rel. to changing location of road on petition of owner of land: indorsement of overseer *or 2/3 of road hands subject to road duty* necessary. 1§  
'07 ch.427, 28 May
- b Cal. Construction and repair of highways in counties; county highway comn.; bond issue to be authorized by election; donations. 15§  
'07 ch.349, 19 Mar.
- c Fla. Road district comrs. to open up road duly surveyed; summoning hands; penalty. 4§  
'07 ch.79, 1 June
- d Id. Amdg. R.S.'87 §937 rel. to publication of notice of intention of private person to change location of highway at own expense. 1§  
'07 p.456, 13 Mar.
- e Ill. Amdg. '87 p.266 §76 rel. to width of public roads. 1§  
'07 p.506, 21 Feb.
- f Ill. Amdg. '83 p.136 §30, 31 rel. to width and alteration of roads. 2§  
'07 p.509, 17 May
- g Ill. Adding §62a, 62b to '83 p.136 rel. to appeal from verdict of jury assessing damages in highway cases. 2§  
'07 p.507, 27 May
- h Ind. Amdg. '05 ch.167 §70, 75 rel. to elections to lay out and improve highways; exceptions requiring no election; bonds. 2§  
'07 ch.46, 25 Feb.
- i Ind. Amdg. '05 ch.167 §63 rel. to petitions for opening and improving highways: provides for townships of less than 100 freehold voters. 1§  
'07 ch.96, 2 Mar.
- j Ind. Amdg. '03 ch.160 §1 rel. to construction of free gravel or stone roads. 1§  
'07 ch.127, 8 Mar.
- k Ind. Amdg. '05 ch.167 §1, 12 rel. to location, change or vacating highway: petition to be filed with county auditor; costs of 1st review of highway to be paid before 2d allowed. 2§  
'07 ch.232, 11 Mar.
- n Ind. Amdg. '05 ch.167 §46 rel. to constructing and improving highways: minor landowners not to be counted, unless represented by guardian, as for or against. 1§  
'07 ch.259, 12 Mar.
- p Ind. Amdg. '05 ch.167 §88, 90 rel. to highways. 3§  
'07 ch.276, 12 Mar.
- q Ia. Amdg. C. §1483 which establishes minimum width of road at 40 feet: consent road with width of 30 feet may be established. 1§  
'07 ch.64, 1 Apr.



## ROADS

2711

- r Me.** Amdg. R.S.'03 ch.23 §11: county comrs. to determine boundaries of highways *and town ways*; county to pay for locating former, town for latter. 1§ '07 ch.143, 26 Mar.
- s Minn.** Amdg. R.L.'05 §1161: where town unable to open road, county may be directed by District Court to proceed with work. 1§ '07 ch.262, 19 Apr.
- t Neb.** Amdg. C.S.'05 §5259-64, 5268-69, 5282, 5300 rel. to establishment and vacation of roads. 12§ '07 ch.107, 10 Apr.
- u N. J.** Town councils may vacate streets given by owner of land on petition of all abutting landowners. '07 ch.22, 1 Apr.
- v N. J.** Rep. '06 ch.43 rel. to capital fund for street improvement in cities of 1st class. 1§ '07 ch.202, 15 May
- w N. Y.** Amdg. highway law '90 ch.568 §§3, 84, 89, 92 rel. to proceedings for laying out, altering or discontinuing highway: before County Court [judge or special county judge]. 4§ '07 ch.50, 20 Mar.
- x N. Y.** Amdg. highway law '90 ch.568 §99: qualified abandonment of highway not used by more than 2 vehicles daily for 2 years; not to be worked at public expense; owner of land on both sides may erect fence across with gate and use highway for pasturage; msdr. for traveler to leave gate open. 1§ '07 ch.246, 30 Apr.
- y Pa.** Ordinances vacating streets to be recorded by purchasers. 2§ '07 ch.171, 23 May
- z Pa.** Amdg. '03 ch.99 §1 rel. to widening roads connecting municipalities: those connecting parts of same city included. 1§ '07 ch.267, 1 June
- za Pa.** Where turnpike becoming public road is useless Court of Quarter Sessions may vacate and replace same. 6§ '07 ch.301, 7 June
- zb Pa.** Amdg. '36 ch.169 §5: width of public road not to exceed 80 [50] feet. 1§ '07 ch.303, 7 June
- zc Tenn.** County owning turnpikes may condemn land, gravel beds and quarries for road purposes. 5§ '07 ch.314, 11 Apr.
- zd Vt.** Amdg. S. §3297: selectmen on judging road for public good to have same surveyed *and marked off with monuments*; discontinuance to be in writing. 1§ '06 ch.108, 21 Nov.
- ze Wis.** Amdg. S.'98 §1310: city, village or town may alter or discontinue road turned over to it by county. 1§ '07 ch.133, 23 May
- zf Wis.** Amdg. S.'98 §1291: referendum if cost of construction or alteration of highway exceed 1/10 [1/5] of value of taxable property. 1§ '07 ch.237, 19 June

2712

## Streets

- a Ct.** Street and curb lines may be established outside of city and borough at town meeting. 1§ '07 ch.262, 31 July
- b Mass.** Selectmen of town accepting provisions of this act to form bd. of survey; to supervise location of streets, to make and file maps showing same. 9§ '07 ch.191, 12 Mar.
- c Minn.** Authorizing bond issue of \$1,000,000 by city of 50,000 to widen streets leading to state buildings. 5§ '07 ch.271, 22 Apr.
- d N. J.** Council of borough may vacate street with consent of all abutting owners. 1§ '07 ch.167, 13 May

2712

- c N. J.** Vacating, relaying and laying out streets in villages. 9§  
'07 ch.243, 12 June
- f N. J.** Amdg. '95 ch.210 §1, 3 rel. to paving streets in city of 1st  
class: method of payment; annual expenditure limited to \$500,000;  
portion of asmt. in gen. tax levy. 2§ '07 ch.290, 14 Nov.
- g N. D.** Village may open, improve or vacate street. 4§  
'07 ch.262, 12 Mar.
- h Or.** Amdg. Ann. C.&S. §2743: consent for vacation of street to  
be acknowledged and filed with county clerk. 1§ '07 ch.196, 25 Feb.
- i Pa.** Vacation of alleys and lanes declared public nuisances by  
health officers of municipalities. 2§ '07 ch.324, 8 June
- j Wis.** City may vacate public ground, waterway, street or alley;  
procedure. Adds S.'98 §926 subdiv. 125k-q. 7§ '07 ch.569, 11 July

2713

### Road taxes and work

*See also 2569, Special assessments*

- a Cal.** Division of road funds by bd. of supervisors on territory  
being incorporated or annexed to municipality. Adds §2656 to P.C. 2§  
'07 ch.46, 28 Feb.
- b Fla.** Amdg. G.S.'06 §851 rel. to repair of roads: overseer to  
receive \$2 [\$1.50] per day; laborers to receive not to exceed 15c [10c]  
per hour. 2§ '07 ch.81, 3 June
- c Id.** Amdg. '01 p.78 §1, 2: county comrs. may levy special road  
tax for road district. 2§ '07 p.572, 16 Mar.
- d Ind.** Amdg. '05 ch.167 §90 rel. to levy for free gravel, macadam-  
ized or turnpike roads. 1§ '07 ch.132, 8 Mar.
- e Mich.** Rep. '83 ch.179 which allowed rebate on road tax for use  
of lumber wagon with tire 3 inches wide. 1§ '07 ch.27, 26 Mar.
- f Minn.** Amdg. R.L.'05 §1231 rel. to collection of delinquent road  
taxes. 2§ '07 ch.285, 22 Apr.
- g Minn.** Amdg. '05 ch.69: road and bridge tax of town not to  
exceed 10 [5] mills. 1§ '07 ch.404, 24 Apr.
- h Mo.** Municipality failing to maintain corporate existence may  
be attached to road district. Adds R.S.'99 §9431a. 1§  
'07 p.393, 20 Mar.
- i Mo.** Amdg. R.S.'99 §10326 rel. to road poll tax: taxation of  
property of railroad, telegraph and telephone companies in township.  
1§ '07 p.419, 21 Mar.
- j Mo.** Submitting amdt. to Const. 1875: county or town may levy  
special road and bridge tax of 25c per \$100. 1§. Vote Nov. 1908.  
[Probably intends to supply new section, art.10 §22, in place of art.10  
§11a, held unconst. in *St. v. C. B. & Q. R. R. Co.*, 195 Mo. 228 (1906)].  
'07 p.458
- k Neb.** Amdg. C.S.'05 §5388a rel. to tax levy for road improve-  
ments: petition for levy may be for not less than 5 nor more than 25  
mills, or for less than 5 mills. 2§ '07 ch.114, 30 Mar.

## ROADS

2713

- n **Neb.** City of less than 25,000 or village may levy tax not exceeding 2 mills on the dollar to improve highways leading to such city or village, not exceeding 6 miles from corporate limits. Rep. C.S.'05 §1664. 1§ '07 ch.22, 1 Apr.
- p **Neb.** Amdg. C.S.'05 §5327 rel. to disposition of road tax and county and district road funds, and rep. §5328-32, 5345-48, 5350. 3§ '07 ch.110, 10 Apr.
- r **N. D.** Collection of road tax in village. 6§ '07 ch.267, 14 Mar.
- s **Wis.** Amdg. S.'98 §1244 rel. to additional levy for road purposes. 1§ '07 ch.240, 19 June
- t **Wis.** Amdg. S.'98 §1240 subdiv.2 rel. to highway taxes: not to exceed \$2000 [\$1000] in town of under 500. 1§ '07 ch.331, 21 June
- u **Wis.** Amdg. '03 ch.242 §1 to be S.'98 §1311 subdiv. 3: county may make 2  $\frac{1}{4}$  mill levy for building county roads. 1§ '07 ch.440, 27 June

2714

### *Poll tax and road work*

- a **Ark.** Amdg. S.'04 §7289: road overseer to report *quarterly* [annually] moneys received in lieu of labor; *inspection of accounts*. 2§ '07 ch.358, 22 May
- b **Fla.** Amdg. G.S.'06 §850 rel. to working roads: in county using money system males between 21 and 45 years not paying taxes liable for 5 days labor. 1§ '07 ch.82
- c **Ga.** Amdg. '91 p.135 §2 rel. to road work: \$3 or amount fixed as equivalent to 4 days labor may be paid instead. 2§ '07 p.99, 22 Aug.
- d **Neb.** Amdg. C.S.'05 §5058 rel. to labor tax: to be a poll tax of \$2.50 [\$3] payable in cash *only* [or in labor]. 2§ '07 ch.102, 10 Apr.
- e **N. Y.** Collector in town under money system of repairing highways to receive 5% of taxes collected; arrears to be assessed in next annual levy. Adds §53c to highway law '90 ch.568. 1§ '07 ch.128, 4 Apr.
- f **N. Y.** Amdg. highway law '90 ch.568 §53: authorizing bds. of supervisors to abolish poll tax for roads. 1§ '07 ch.270, 2 May
- g **N. C.** Exempting students from road duty; exception. 2§ '07 ch.945, 11 Mar.

2715

### Roads on boundaries. Joint roads

- a **Ind.** Construction of macadamized road on boundary line between counties. Rep. '05 ch.164. 14§ '07 ch.209, 9 Mar.
- b **Ia.** Bd. of supervisors of boundary county may treat with authorities of neighboring state rel. to joint road. 1§ '07 ch.69, 13 Apr.
- c **Mass.** Joint highway may be maintained in common by neighboring towns or cities. 1§ '07 ch.196, 12 Mar
- d **N. J.** Amdg. '06 ch.189 §7 rel. to maintenance of joint roads: county may assume. 1§ '07 ch.100, 23 Apr.
- e **N. J.** Road in more than 1 municipality may be made county road. 1§ '07 ch.264, 10 Oct.
- f **N. D.** Amdg. R.C.'05 §1367 rel. to highways on county and township lines. 1§ '07 ch.254, 12 Mar.

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- g Or. Authorizing construction of roads on county lines. 5§  
'07 ch.97, 23 Feb.
- h Or. Authorizing establishment, maintenance and vacation of roads on county lines. 5§  
'07 ch.188, 25 Feb.
- i Wash. Amdg. '03 ch.119 §8: municipality may expend 15% of road levy on county road therein. 1§  
'07 ch.76, 5 Mar.
- j W. Va. Amdg. '03 ch.36 §13 rel. to maintenance of county roads: County Court may authorize surrender to city of part therein. 1§  
'07 ch.36, 25 Feb.

2716

## Sidewalks

- a Ct. Railroad subject to assmt. for local improvements; must maintain sidewalks and remove snow therefrom. 2§  
'07 ch.171, 28 June
- b Ill. Amdg. '75 p.63 §8 rel. to reenactment of special sidewalk tax set aside by court. 1§  
'07 p.200, 25 May
- c N. J. Amdg. title of '06 ch.230 rel. to sidewalks of *cities of 1st class* [municipalities]. 1§  
'07 ch.87, 17 Apr.
- d N. J. Amdg. '05 ch.58 §10 declaring certain roads county roads: sidewalks not included. 1§  
'07 ch.144, 8 May
- e N. M. Extending application of '99 ch.54 rel. to sidewalks to all municipalities whether incorporated under gen. or special acts. 2§  
'07 ch.7, 1 Mar.
- f S. D. City councils and town trustees may destroy noxious vegetation at expense of property on which found; to remove snow and ice from sidewalks at expense of abutting owners. 2§  
'07 ch.95, 20 Feb.
- g Wis. On petition of ¼ of electors village or city of 4th class may pay not to exceed ½ cost of sidewalk. Adds S.'98 §909d. 1§  
'07 ch.451, 27 June
- h Wis. Amdg. S.'98 §925 subdiv.204-5 rel. to construction and repair of sidewalk by abutting owner. 2§  
'07 ch.674, 16 July

2718

## Bicycles and bicycle paths

- a Pa. Transfer to gen. county funds of money collected under bicycle side path act, since declared unconst. 1§  
'07 ch.8, 7 Mar.

2720

## Toll roads

- a Ari. Amdg. R.S.'01 §3998-99, 4001, 4003-4, 4007-8 rel. to toll roads. 8§  
'07 ch.55, 18 Mar.
- b Ari. Owners of toll roads may allow construction of railroads on such roads. 3§  
'07 ch.64, 21 Mar.
- c Cal. Amdg. P.C. §2787, 2789: rel. to construction of toll roads. Adds §2802. 3§  
'07 ch.308, 18 Mar.
- d Id. County comrs. may license roads on which toll may be charged for traction engines engaged in transporting heavy freight. 4§  
'07 p.306, 13 Mar.
- e Mich. Declaring unconst. '97 ch.91 providing for toll road comrs. to enforce toll road law. Confers judicial power on cour. Bridge St. etc. Road Co. v. Hogadone 114 N. W. 917 (1908)

## ROADS

2720

- f **Mich.** Amdg. C.L.'97 §6625 rel. to prosecution of plank road company for neglect to keep road in condition. 1§ '07 ch.196, 19 June
- g **Nev.** Amdg. '65 ch.78 §2, 5, 6, 8 rel. to toll roads and bridges. Adds §13, 14. 6§ '07 ch.183, 29 Mar.
- h **N. C.** Amdg. Revisal '05 §2598 which prohibits unauthorized canal, turnpike or railroad: toll road established solely by owners of land where located excepted. 1§ '07 ch.531, 4 Mar.
- i **Pa.** Amdg. '05 ch.176 rel. to toll roads: county to maintain abandoned toll road. 1§ '07 ch.88, 25 Apr.
- j **Pa.** Where jury of viewers has reported against condemnation of toll road, another jury to be appointed after 5 years on petition of 25 resident taxpayers. 1§ '07 ch.134, 7 May
- k **Pa.** Court of Common Pleas may dissolve toll road company not for profit; to declare property public highway and to continue collection of toll to pay debts. 3§ '07 ch.270, 1 June

2722

### Miscellaneous

2723

#### *Automobiles and motorcycles*

- a **Cal.** Amdg. '05 ch.612 §2-4, 6 rel. to motor vehicles. Adds §8a. 5§ '07 ch.500, 23 Mar.
- b **Ct.** Amdg. G.S.'02 §1232: penalty for using motor vehicle without owner's permission. 1§ '07 ch.32, 11 Apr.
- c **Ct.** Motor vehicles. Rep. '05 ch.230, 258, 282. 24§ '07 ch.221, 27 July
- d **Del.** Amdg. '05 ch.124 rel. to motor vehicles: penalties; fees; chauffeurs. 20§ '07 ch.144, 4 Apr.
- e **Ill.** Registration and regulation of automobiles. Rep. '03 p.302. 21§ '07 p.510, 28 May
- f **Ind.** Amdg. '05 ch.123 §2, 5, 7, 10, 13: dangerous places; lamps; aid to drivers of animals; assignment and display of numbers; penalties. 5§ '07 ch.258, 12 Mar.
- g **Ia.** Amdg. '04 ch.53 §2, 4, 5 rel. to registration fee of motor vehicles: \$5 [\$1]; *registration* \$5; *dealer's demonstration* \$10. 3§ '07 ch.68, 19 Mar.
- h **Ia.** Defining automobile railway as one using track other than steel; railroad laws applicable to. 1§ '07 ch.08, 4 Apr.
- i **Mass.** Penalty for operation of automobiles over road from which they are excluded. 1§- '07 ch.203, 14 Mar.
- j **Mass.** Amdg. '05 ch.311 §6: records of convictions of violations of motor vehicle law to be sent on forms prepared by Highway Comm. 1§ '07 ch.408, 14 May
- k **Mass.** Person violating automobile laws may be arrested by officer without warrant and detained not more than 24 hours before arraignment. 1§ '07 ch.494, 12 June
- n **Mass.** Amdg. '03 ch.473 §1, 2, 12: registration fee for automobile \$5 [\$2]; for dealer \$15 [\$10]; *balance from fees to be used for repair of highways and boulevards*. 4§ '07 ch.580, 28 June

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- p **Mich.** Msdr. to use automobile of another without authority. 1§ '07 ch.44, 11 Apr.
- q **Mich.** Amdg. '05 ch.196 §2-4, 6, 8, 17, 27 rel. to motor vehicles: fee; renewal and transfer of license; manufacturer's registration; chauffeurs; passing vehicle; Sec. of State to issue printed list. 7§ '07 ch.304, 28 June
- r **Mo.** Automobile law. Rep. '03 p.162. 23§ '07 p.73, 19 Mar.
- s **Neb.** Amdg. C.S.'05 §5388c-p rel. to automobiles: annual fee \$1; publication of names of owners. 13§ '07 ch.115, 3 Apr.
- t **N. Y.** Toll for motor vehicles carrying 2 persons same as for vehicle drawn by 1 animal; otherwise same as for vehicle drawn by 2 animals. 1§ '07 ch.127, 4 Apr.
- u **N. C.** Temporary appropriation of automobile larceny. 1§ '07 ch.126, 7 Feb.
- v **Tex.** Automobiles to be registered with county clerk; sign bearing number to be carried; speed and road regulations; penalty. 7§ '07 ch.96, 15 Apr.
- w **U.** Amdg. R.S.'98 §4296: msdr. to *operate or* drive vehicle [drawn by horses or mules] at dangerous speed. 1§ '07 ch.6, 20 Feb.
- x **Vt.** "An act to regulate the running of motor vehicles and to license the operators thereof." Amds. '04 ch.86 §2, 9 and supplements entire act. 10§ '06 ch.113, 19 Dec.
- y **Wis.** Motor vehicles to be assessed. Adds S.'98 §1050 subdiv. 16a. 1§ '07 ch.436, 27 June
- z **Wis.** Amdg. '05 ch.305 §4, 8 to be S.'98 §1636 subdiv.50,54 rel. to stopping motor vehicle frightening horse. 2§ '07 ch.516, 9 July

2727

## *Cleaning. Watering. Oiling*

- a **Me.** Municipality may assess cost of street sprinkling on abutting owners and street railways. 3§ '07 ch.188, 28 Mar.
- b **N. J.** Cities may sprinkle streets and charge expense to water dept. which shall have charge of work. 3§ '07 ch.165, 11 May
- c **N. M.** Sprinkling of streets in unincorporated towns of 2000; assmt. of expense. 5§ '07 ch.31, 16 Mar.
- d **Wis.** Amdg. S.'98 §925d rel. to sprinkling street in village: on petition of *majority* [3/4] of abutting owners *representing majority of foot frontage*. 1§ '07 ch.47, 17 Apr.

2728

## *Damage through defect*

*See also* 471, Torts; 2446, Municipalities

- a **Neb.** Village not to be liable for damages from defective streets and sidewalks unless notified of injury within 30 days; costs. 1§ '07 ch.16, 29 Mar.

2729

## *Dangerous places*

- a **N. H.** Prohibiting removal or disfiguring of signals on highway to give warning of defects; penalty. 2§ '07 ch.19, 20 Feb.

2730

## *Drainage*

- a **Cal.** Amdg. '85 ch.153 §2: municipalities may construct storm water drains. 1§ '07 ch.103, 6 Mar.

## ROADS

2730

- b **Ia.** Authorizing condemnation of land to prevent encroachment of stream on highway. 1§ '07 ch.65, 1 Apr.
- c **Minn.** County comrs., on petition of 10% of electors, may purchase ditching machines; cost not to exceed \$3000. 2§ '07 ch.19, 16 Feb.
- d **Mo.** Overseer may enter adjacent land to open ditch draining road; penalty for obstructing such ditch. Adds R.S.'09 §9442a. 1§ '07 p.406, 20 Mar.
- e **Or.** Road supervisors to notify irrigation company of leakage on to roads and to remedy same; on failure supervisor to do so and charge to company. 3§ '07 ch.165, 25 Feb.

2731

### *Encroachments*

- a **Mich.** Width of highways; encroachments and setting of poles thereon. 3§ '07 ch.263, 27 June
- b **N. J.** Rep. '05 ch.46 authorizing certain cities to allow bridging of streets by abutting property owners. 1§ '07 ch.30, 5 Apr.

2732

### *Fences*

*See also 388, Wire fences*

- a **N. J.** Amdg. '04 ch.144 rel. to regulation of fences in cities. 2§ '07 ch.176, 13 May
- b **Wy.** County comrs. may authorize erection of fence on public road, expense to be borne by petitioners for road by agreement; county surveyor to file plat of such roads with U. S. land office. 3§ '07 ch.39, 16 Feb.

2733

### *Guide boards*

- a **Cal.** Amdg. Pen. C. §590: msdr. to injure mile or guide post on or near highways; half of fine to informer. Adds §590a. 2§ '07 ch.489, 22 Mar.
- b **Mon.** County comrs. to erect guide boards at road forks; penalty for defacement. 4§ '07 ch.128, 7 Mar.
- c **Wy.** Counties to erect road signs at intersections of roads; size designated; penalty for disturbing. 2§ '07 ch.44, 15 Feb.

2735

### *Hedges*

- a **Mich.** Requiring trimming of hedge along highway to height of 4½ feet and width 3 feet; penalty. 2§ '07 ch.166, 18 June

2737

### *Obstruction. Injury to roads*

- a **Ct.** Amdg. G.S.'02 §1177: penalty for knowingly [wilfully] throwing injurious articles on highways. 1§ '07 ch.53, 17 Apr.
- b **Ia.** Bd. of supervisors may authorize laying of mun. water pipes in roads. 1§ '07 ch.66, 13 Apr.
- c **Neb.** Msdr. for railroad to obstruct highway crossing in unincorporated town or village; penalty. 2§ '07 ch.109, 15 Mar.

2739

### *Prescriptive rights*

- a **Vt.** Amdg. S. §3294 as to prescriptive rights on resurvey of highway. 1§ '06 ch.107, 14 Dec.

2740

*Road engines on highways*

*See also 1399, Bridges*

- a **Tenn.** Rep. C.'96 §1610, 1612 which allowed steam wagon to run on highway from 9 p. m. to 4 a. m. only and required notices to be posted along highway 20 days before. 1§ '07 ch.200, 6 Apr.
- b **Tex.** Msdr. to transport traction engine over bridge or culvert unless on skids. 1§ '07 ch.92, 13 Apr.

2741

*Stones*

- a **N. H.** Amdg. '03 ch.75 §1: loose stones to be removed from highways every 60 days from Apr. [May] to Oct. 1§ '07 ch.134, 5 Apr.

2742

*Trees. Grassplots*

- a **Me.** Officers of municipalities may reserve land not exceeding 5 rods in width abutting highway or stream whereon trees may not be cut by owner; indemnity; penalty. 4§ '07 ch.27, 26 Feb.
- b **Minn.** City of 50,000 may sprinkle grass plots between roadway and sidewalk on petition of abutting owners; cost to be assessed on abutting property. 6§ '07 ch.179, 13 Apr.
- c **N. J.** Amdg. '93 ch.285 §1: governing body may increase forestry comm. of municipality from 3 to 5. 1§ '07 ch.156, 10 May
- d **Or.** County Court may allow planting of trees at side of road more than 50 feet wide where within limits of irrigation project. 2§ '07 ch.156, 25 Feb.
- e **Pa.** Authorizing creation of Shade Tree Comns. in townships of 1st class; boroughs and cities to plant and care for trees on highways. 9§ '07 ch.251, 31 May
- f **Wis.** Amdg. '98 §1344 rel. to planting trees along highway: bounty reduced. 1§ '07 ch.18, 20 Mar.

2744

*Weeds. Brush*

- a **N. Y.** Amdg. highway law '90 ch.568 §53a, 70, 71: abutters on highways to remove brush *between Aug. 15 and Sept. 1* [before July 1 and Sept. 1]. 3§ '07 ch.191, 22 Apr.
- b **N. Y.** Amdg. highway law '90 ch. 568 §53a: weeds to be removed from highway by abutting owner *June 15 to July 15 and Aug. 15 to Sept. 15* [before July 1 and Sept. 1], briars and brush Aug. 1 [15] to Sept. 1; assmt. and collection of cost where abutting owner fails to remove. 1§ '07 ch.648, 19 July
- c **S. D.** Abutting owners to cut weeds along highway. 4§ '07 ch.250, 18 Feb.
- d **S. D.** City councils and town trustees may destroy noxious vegetation at expense of property on which found; to remove snow and ice from sidewalks at expense of abutting owners. 2§ '07 ch.95, 20 Feb.

2745

*Weight of load. Wide tires*

- a **Mich.** Rep. '83 ch.179 which allowed rebate on road tax for use of lumber wagon with tire 3 inches wide. 1§ '07 ch.27, 26 Mar.
- b **Wis.** Rebate on highway tax for use of wide tires; conditions. Adds S.'98 §1347m; rep. §1038 subdiv.29. 2§ '07 ch.479, 9 July



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